

# Memorandum



**Date:** June 7, 2005

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

Agenda Item No. 5(O)

**From:** George M. Burgess  
County Manager

**Subject:** Approving the City of North Miami Beach Community Redevelopment Plan

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## **RECOMMENDATION**

It is recommended that the Board of County Commissioners (the "Board") approve the attached City of North Miami Beach Community Redevelopment Agency (the "Agency") Community Redevelopment Plan (the "Plan") and also approve the attached form of an interlocal agreement between the City of North Miami Beach (the "City"), the North Miami Beach Community Redevelopment Agency (the "Agency") and Miami-Dade County, Florida (the "County") which establishes the terms and conditions for the implementation of the Plan and establishes an exit strategy if certain conditions are not met within ten years. This agreement is necessary in order for the City of North Miami Beach to proceed with the redevelopment of the project area.

## **BACKGROUND**

In 1969, the Florida Legislature enacted the Community Redevelopment Act of 1969 as it is contained in Part III of Chapter 163, Florida Statutes, as amended (the "Act"). The Act authorizes counties and municipalities in the State of Florida to create community redevelopment agencies, to prepare redevelopment plans for certain defined areas within their boundaries designated as community redevelopment areas and to delegate redevelopment powers to the agency at the discretion of the County and City, after a finding has been made, determining that slum or blight exists within a defined area.

On November 30, 2004, the Board adopted Resolution R 1345-04 finding the City of North Miami Beach Community Redevelopment Area to be a slum and/or blighted area, and delegating to the City the power to create a Redevelopment Agency with the sole power to prepare a Redevelopment Plan (Exhibit E). The North Miami Beach Community Redevelopment Agency Board (the "CRA Board"), approved the Plan on January 18, 2005, after the City Planning and Zoning Board found that the Plan conformed to the City Comprehensive Plan. (On February 1, 2005, the Mayor and City Council of the City of North Miami Beach adopted the Redevelopment Plan through Resolution No. R-2005-5 (Exhibit A). In order to implement the Plan, the City Council of the City of North Miami Beach has requested that the Board approve the Plan and that further redevelopment powers under the Act be delegated to it by the Board. Said delegations are to be granted by this Board and formalized through an interlocal agreement (the form of which is attached, Exhibit D) between the County, the City, and the Agency.

It is being proposed that the Plan as approved by the Board is limited to a ten (10) year period. The Agency shall continue to receive Tax Increment Revenues from the County for a period of no more than ten (10) years, unless by the end of the fifth operating and fiscal year of the Agency, the County approves either a Bond issuance by the Agency, or an amendment to the Plan that demonstrates the need for long-term financing through bonds or notes that require a pledge of County Tax Increment revenues. Another option for extending the plan and Tax Increment Revenues contribution by the County for a further period of up to no more than ten (10) additional years is provided for. This option requires County approval by the end of the ten year term of an Agency progress report, plan update and demonstration by the Agency that absent a Bond issue, sufficient progress has been made towards the achievement of the Plan's goals and measurable objective and that a further extension is warranted.

The North Miami Beach Community Redevelopment Area is located at what is essentially, the center of the North Miami Beach community. Existing land use in the CRA is a mixture of commercial, residential, light industrial, institutional and recreational. There are approximately 468 acres of land in the redevelopment area. No site specific or "catalytic" type redevelopment project has been designated for the CRA. Rather, the redevelopment strategy has been structured around a general development approach, that provides the CRA with the ability to serve the redevelopment needs of the community as they evolve over the life of the agency's existence.

The Redevelopment Plans calls for a series of "area wide" programs and strategies such as:

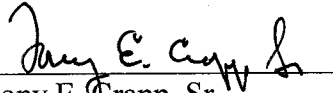
- **Development and improvement incentives**, which would include direct financial incentives to generate new private development; direct financial incentives to stimulate property improvements; interest subsidies on loans for property improvements,
- **Beautification and appearance improvement**,
- **Residential reinvestment programs**, to include Homeowner reinvestment grants; mortgage subsidies and second mortgage assistance
- **Infrastructure improvement programs**
- **Environmental improvements**, etc.,
- **An informational supplement was presented to County staff for further clarification (Exhibit B). Also attached (Exhibit C) is correspondence between the County and the City, which had several meetings on the matter of the Plan.**

### **ECONOMIC IMPACT ANALYSIS**

The CRA anticipates its only source of revenues to be through tax increment financing, and has projected its first five-year revenue amount at \$2.5 million. This estimate assumes a tax increment contribution by the County of 95%. The Board has the discretion to contribute between 50% and 95% of the County's portion of tax increment revenues.

Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners  
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The Miami-Dade County Tax Increment Financing and Coordinating Committee, has reviewed the Redevelopment Plan and recommends its approval at the 95% funding level with a condition that an exit strategy be made possible through a sunset review.

  
\_\_\_\_\_  
Tony E. Crapp, Sr.  
Assistant County Manager



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** June 7, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 5(O)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review



Approved \_\_\_\_\_ Mayor

Veto \_\_\_\_\_

Override \_\_\_\_\_

Agenda Item No. 5(O)

06-07-05

RESOLUTION \_\_\_\_\_

RESOLUTION REGARDING CERTAIN GEOGRAPHIC AREA WITHIN CITY OF NORTH MIAMI BEACH, FLORIDA DESCRIBED GENERALLY AS THE TOWN CENTER BOTH TO THE NORTH AND THE SOUTH OF NE 163RD STREET FROM NE 8TH AVE TO BISCAYNE BLVD; ACCEPTING DELIVERY OF REDEVELOPMENT PLAN FROM CITY OF NORTH MIAMI BEACH AND MAKING CERTAIN FINDING WITH RESPECT TO SAID REDEVELOPMENT PLAN AND SAID GEOGRAPHIC AREA; ADOPTING SAID REDEVELOPMENT PLAN; APPROVING INTERLOCAL COOPERATION AGREEMENT AMONG COUNTY, CITY OF NORTH MIAMI BEACH AND NORTH MIAMI BEACH COMMUNITY REDEVELOPMENT AGENCY TO IMPLEMENT REDEVELOPMENT ACTIVITIES; AND AUTHORIZING COUNTY MANAGER TO EXECUTE AND DELIVER SAID AGREEMENT; PROVIDING SEVERABILITY

WHEREAS, the Legislature of the State of Florida enacted the Community Redevelopment Act of 1969 during its 1969 Legislative Session, which enactment is presently codified in the Florida Statutes as Part III of Chapter 163, Sections 163.330 through 163.450 (the "Act"); and

WHEREAS, all powers arising through the Act are conferred upon counties with home rule charters, which counties in turn are authorized to delegate the exercise of such powers within the boundaries of a municipality to the governing body of such municipality; and

WHEREAS, such authorization for counties to delegate such powers to municipalities is contained in Section 163.410, Florida Statutes, which states: In any county which has adopted a home rule charter, the powers conferred by this part shall be exercised exclusively by the governing body of such county. However, the governing body of any

such county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon the county by this part within the boundaries of a municipality to the governing body of such a municipality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the county. This section does not affect any community redevelopment agency created by a municipality prior to the adoption of a county home rule charter; and

WHEREAS, the City Council of the City North Miami Beach , Florida (the "City Council") adopted Resolution No. R-2004-57 on September 14, which found that a slum or blighted area exists in a geographic area, described in more detail in the attached Exhibit I, made a finding of necessity as to the rebuilding, rehabilitation, conservation and redevelopment of such Redevelopment Area and declared the need to initiate and prepare a plan for redevelopment of the Redevelopment Area; and

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida (the "Board") adopted Resolution No. R-1345-04 on November 30, 2004, which, among other things, declared that a slum or blighted area existed in the Redevelopment Area, determined that it was necessary to redevelop such Redevelopment Area in accordance with the provisions of the Act, and delegated to the City Council the authority to exercise the redevelopment powers conferred upon the Board within the Redevelopment Area in accordance with the Act, to enable the City Council to declare the need for, create and delegate powers to a community redevelopment agency and to initiate, prepare and adopt a plan of redevelopment for final approval by the Board; and

WHEREAS, the City Council, pursuant to Resolution No. R2004-86 enacted on December 21, 2004, accepted a delegation of powers from the Board, found a need for and created the City of North Miami Beach Community Redevelopment Agency (the "Agency"), declared the members of the City Council to be the members of the Agency, granted the Agency the power to exercise all powers permitted by the Act which were delegated by the Board to the Agency and directed the initiation, preparation and adoption of a redevelopment plan by the Agency; and

WHEREAS, the Planning Board of the City of North Miami Beach, sitting as the local planning agency of the City of North Miami Beach (the "City") reviewed said redevelopment plan and held a public hearing with respect thereto and adopted a recommendation of said redevelopment plan to the City Commission supporting the adoption of such plan in conformity with City's comprehensive plan; and

WHEREAS, the City Council adopted Resolution No. R2005-5 on February 1, 2005 attached hereto as Exhibit "A" which, after making certain findings at a duly advertised public hearing with respect thereto, approved and adopted the City of North Miami Beach Community Redevelopment Plan (the "Plan"), a copy of which is attached hereto as Exhibit "B" and incorporated herein by reference; and

WHEREAS, the City has requested that the Board approve the Plan; and

WHEREAS, the Board has at this meeting conducted a public hearing with respect to the findings, conclusions and other matters set forth in this Resolution; and

WHEREAS, the County is sympathetic to the needs of the City to reverse the decline which has occurred in said Redevelopment Area, and concurs with the findings of the City Council contained in Resolution No R2005-5 adopted by the City Council on February 1, 2005; and

WHEREAS, this Board desires to accomplish the purposes outlined in the memorandum from the County Manager, a copy of which is attached to this Resolution and incorporated herein, for the reasons delineated therein,

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. The foregoing recitations are deemed true and correct and hereby incorporated as a part of this Resolution.

Section 2. This Board hereby accepts the delivery of the Plan delivered to it by the City Council. This Board hereby finds and determines that:

- (a) The rehabilitation, conservation or redevelopment or a combination thereof of the Redevelopment Area is necessary in the interest of the public health, safety, morals and welfare of the residents of the City and in the interest of implementing the Act by rehabilitating and revitalizing the area economically and socially, thereby inhibiting the spread of disease and crime, and inter alia improving the tax base, promoting sound growth, and providing improved housing conditions.
- (b) A feasible method exists for the location of families who will be displaced from the Redevelopment Area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families.
- (c) The Plan conforms to the comprehensive plan of the City and the County as a whole.
- (d) The Plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children residing in the general vicinity of the site covered by the Plan.
- (e) The Plan will afford maximum opportunity, consistent with the sound needs of the County and the City as a whole, for the rehabilitation or redevelopment of the Redevelopment Area by private enterprise.
- (f) To the extent that the Redevelopment Area consists of an area of open land to be acquired by the City so as to be developed for residential uses, in whole or in part, such

areas may be acquired because it is hereby determined that: (i) a shortage of housing of sound standards and design which is decent, safe, affordable to residents of low or moderate income, including the elderly, and sanitary exists in the City; (ii) the need for housing accommodations has increased in the Redevelopment Area; (iii) the conditions of blight in the Redevelopment Area or the shortage of decent, safe, affordable and sanitary housing cause or contribute to an increase in and spread of disease and crime or constitute a menace to the public health, safety, morals or welfare; and (iv) the acquisition of the area for residential uses is an integral part of and is essential to the program set forth in the Plan.

- (g) To the extent that the Redevelopment Area consists of an area of open land to be acquired by the City so as to be developed for non-residential uses, in whole or in part, such areas may be acquired because it is hereby determined that such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives and acquisition may require the exercise of governmental action as provided in the Act because of: (i) defective, or unusual conditions of, title or diversity of ownership which prevents the free alienability of such land; (ii) tax delinquency; (iii) improper subdivisions; (iv) outmoded street patterns; (v) deterioration of site; (vi) economic disuse; (vii) unsuitable topography or faulty lot layouts; (viii) lack of correlation of the area with other areas of the City by streets and modern traffic requirements; or (ix) any combination of such factors or other conditions which retard development of the area.

Section 3. This Board hereby further finds and determines that: (a) the Plan conforms to the comprehensive plan of the City; (b) the Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and rehabilitation as may be proposed to be carried out in the Redevelopment Area, zoning and planning changes, if any, land uses, maximum densities and building requirements; (c) the Plan provides for the development of affordable housing in the area; (d) the Plan conforms with the Act; and (e) the Plan is necessary in the interest of the public health, safety, morals and welfare of the residents of the City and will effectuate the purposes of the Act by revitalizing the Redevelopment Area economically and socially, thereby increasing the tax base, promoting sound growth, improving housing conditions and eliminating the conditions which the Florida Legislature in the Act found constituted a menace which was injurious to the public health, safety, welfare and morals of the residents.

Section 4. This Board, after having conducted a public hearing on the matter for the purpose of giving all interested persons an opportunity to express their views, notice of which public hearing was published on \_\_\_\_\_ in The Miami Herald, a true copy of which notice is attached hereto as Exhibit \_\_\_\_\_ and made a part hereof, and having made the findings expressed above, hereby approves and adopts the Plan for the Redevelopment Area in accordance with the Act. The Plan is hereby designated as the official redevelopment plan for the Redevelopment Area and it is the purpose and intent of the board and the City Council that the Plan, as same may be supplemented and amended by the City Council and approved by this Board, be implemented in the Redevelopment Area.

Section 5. The Board approves the terms of and authorizes the County Manager to execute the Interlocal Agreement between the County, City, and Agency in substantially the form attached to this resolution as Exhibit "D", subject to the review of the County Attorney.

Section 6. If any section, subsection, sentence, clause or provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity.

Section 7. This Resolution shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 8. This Resolution does not contain a sunset provision.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of June, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as \_\_\_\_\_  
to form and legal sufficiency.

Shannon D. Summerset

By: \_\_\_\_\_  
Deputy Clerk

## RESOLUTION NO. R2005-5

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NORTH MIAMI BEACH, FLORIDA,  
APPROVING THE COMMUNITY REDEVELOPMENT  
PLAN FOR THE NORTH MIAMI BEACH COMMUNITY  
REDEVELOPMENT AGENCY; PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Part III, Florida Statutes, provides for community redevelopment by the creation of a community redevelopment agency if certain conditions of slum or blight exist, as defined in Section 163.340, Florida Statutes; and

**WHEREAS**, the Mayor and City Council adopted Resolution No. 2004-57 on September 14, 2004, providing a Finding of Necessity declaring that a blighted area, as defined in Section 163.340, Florida Statutes, exists within the City's boundaries; and

**WHEREAS**, the Mayor and City Council further declared in Resolution No. 2004-57 that the rehabilitation, conservation, redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City of North Miami Beach; and

**WHEREAS**, the Board of County Commissioners for Miami-Dade County, Florida, ("Board") adopted on November 30, 2004, Resolution No. R-1345-04, affirming the City's Finding of Necessity and delegating to the City of North Miami Beach, Florida, the powers to create a community redevelopment agency and to prepare and adopt a community redevelopment plan

**WHEREAS**, the Mayor and City Council adopted on December 21, 2004, Resolution No. R2004-86 and found that there was a need for a community redevelopment agency to carry out community redevelopment in the City, declared itself to be the community redevelopment agency, and authorized the community redevelopment agency to prepare, or have prepared, a community redevelopment plan; and

**WHEREAS**, on January 13, 2005, the City of North Miami Beach Planning and Zoning Board made a finding that the Community Redevelopment Plan ("Plan") submitted to them by the North Miami Beach Community Redevelopment Agency ("Agency") conformed to the City of North Miami Beach Comprehensive Plan; and

**WHEREAS**, on January 18, 2005, the Agency voted to approve the Plan and to submit the Plan to the Mayor and City Council for approval and adoption; and



WHEREAS, notice of a public hearing and a meeting of the Mayor and City Council to consider adoption of the Plan has been published in a newspaper of general circulation and also has been sent to all taxing authorities that levy ad valorem taxes on real property located within the community redevelopment area; and

WHEREAS, the Mayor and City Council has determined that the Plan meets all of the criteria set forth in Section 163.360(2), Section 163.360(7), and Section 163.362, Florida Statutes.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of North Miami Beach:

Section 1. The foregoing recitals are true and correct.

Section 2. The Community Redevelopment Plan for the North Miami Beach Community Redevelopment Agency, prepared by City of North Miami Beach staff and SDI, Inc., dated February 1, 2005, is hereby approved.

Section 3. The City Manager is hereby directed to submit the Plan to the County Manager of Miami-Dade County, Florida, with a request for the Board of County Commissioners' consideration and approval.

Section 4. This resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED by the City Council of the City of North Miami Beach, Florida, at regular meeting assembled this 1st day of February, 2005.

ATTEST:

SOLOMON ODENZ  
CITY CLERK

(CITY SEAL)

JEFFREY A. MISHCON  
MAYOR

APPROVED AS TO FORM:

HOWARD B. LENARD  
CITY ATTORNEY  
STATE OF FLORIDA  
COUNTY OF MIAMI-DADE  
CITY OF NORTH MIAMI BEACH:

I, SOLOMON ODENZ, City Clerk of the City of North Miami Beach, do hereby certify that the attached and foregoing is a true and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 1st day of February, A.D. 2005.

SOLOMON ODENZ  
City Clerk of the City of North Miami Beach, Florida

By: \_\_\_\_\_  
City Clerk

SPONSORED BY: Mayor and City Council



# City of North Miami Beach, Florida

DEPUTY CITY MANAGER

March 1, 2005

Tony E. Crapp, Jr.  
Assistant County Manager  
Miami-Dade County  
111 N.W. 1<sup>st</sup> Street, Suite 2900  
Miami, FL 33128

**RE: NMB Community Redevelopment Plan**

Dear Mr. Crapp:

At their February 7, 2005, meeting, the Tax Increment Financing Coordinating Committee made a request that the City provide additional information to further clarify the character of the redevelopment area, the strategic logic, and the implementation programs as presented in the North Miami Beach Community Redevelopment Plan.

Enclosed is a document and a series of maps prepared by the City so as to provide that clarification for the TIF Committee as well as to further define the implementation strategy reflected in the Community Redevelopment Plan.

Please note that this is an informational supplement to the Plan and not a change or amendment to the Plan. The Community Redevelopment Plan dated February 1, 2005, remains as reviewed by the City's Planning and Zoning Board on January 13, as adopted by the CRA on January 18 and as adopted by the City Council on February 1, 2005.

Should you have any questions, please contact me at 305 948-2900.

Sincerely,

A handwritten signature in black ink, appearing to read "Keven Klopp", is written over the word "Sincerely,".

Keven Klopp  
Deputy City Manager

C: Gary Brown, City Manager  
Gary Wohlforth, Economic Development Coordinator  
Jurgen Teintze

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# **THE CITY NORTH MIAMI BEACH COMMUNITY REDEVELOPMENT AGENCY**

## **COMMUNITY REDEVELOPMENT PLAN**

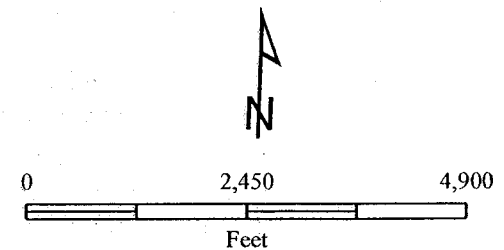
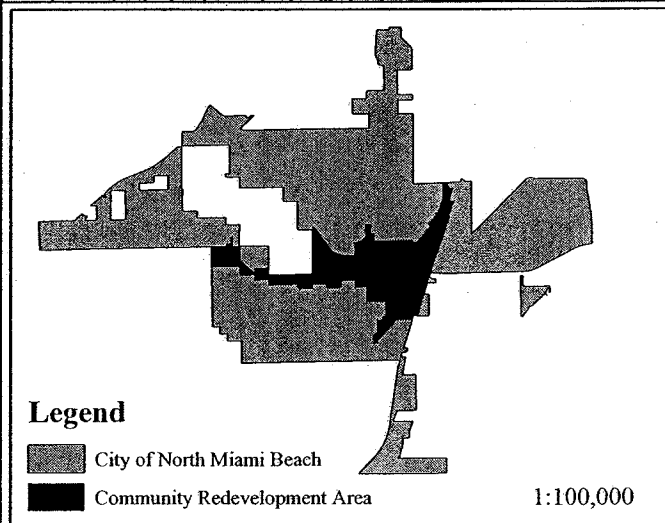
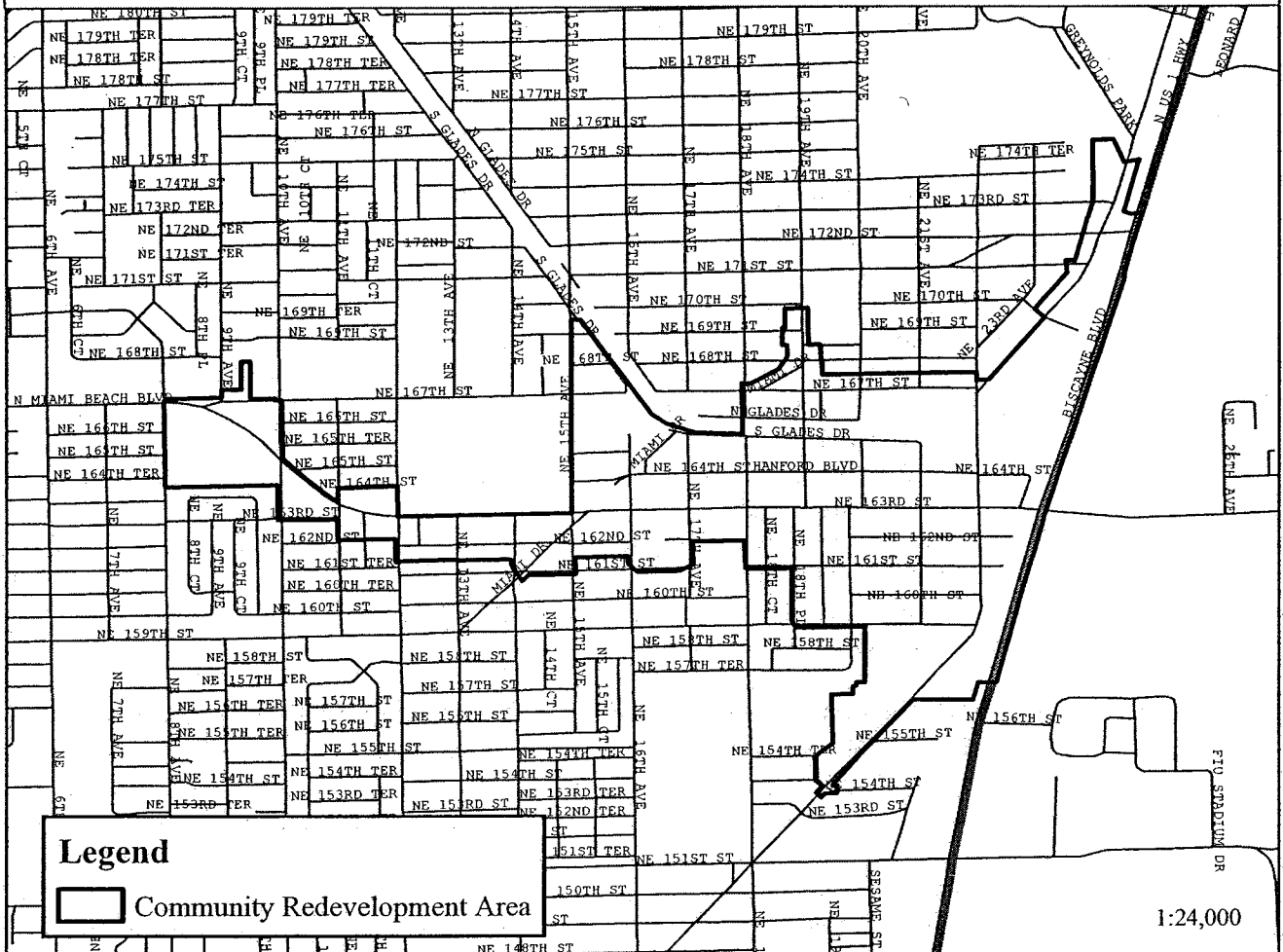
**1 February 2005**



Prepared by the City of North Miami Beach, Florida.

Approved by the Community Redevelopment Agency on 18 January 2005.  
Adopted by the City of North Miami Beach Mayor and City Council on ...  
Adopted by Miami-Dade County Board of County Commissioners on ...

# COMMUNITY REDEVELOPMENT AREA CITY OF NORTH MIAMI BEACH MIAMI-DADE COUNTY, FLORIDA



MapID: 2004048  
Created by: Patrick Brett, Urban Analyst  
Created on: 15 December, 2004  
City of North Miami Beach  
Miami-Dade County, FL

DISCLAIMER: THIS MAP FOR REFERENCE USE ONLY.  
ACCURACY IS NOT WARRANTED OR GUARANTEED.  
SEE LEGAL DESCRIPTION LOCATED IN APPENDIX "E"

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## Definitions

The following terms, wherever used or referred to in this document, have the following meanings:

"Agency" or "community redevelopment agency" or "CRA" means the City of North Miami Beach public agency created by, or designated pursuant to, Chapter 163, Part III, s. 163.356 or s. 163.357, *Florida Statutes* or the community redevelopment agency Board of Commissioners.

"City" means the City of North Miami Beach, Florida.

"Clerk's Office" or "Clerk" means the City of North Miami Beach City Clerk's Office.

"Community redevelopment area" or "redevelopment area" means the blighted area as described in the City of North Miami Beach *Finding of Necessity* with a legal description that can be found in Appendix "E" of this document.

"Community redevelopment plan" or "redevelopment plan" or "Plan" means a plan, as it exists from time to time, for the community redevelopment area of the City of North Miami Beach.

"Community redevelopment" or "redevelopment" definitions are located in section 3.

"*Comprehensive Plan*" means the adopted City of North Miami Beach Comprehensive Plan pursuant to Chapter 163, Part II, *Florida Statutes*, and corresponding Florida Administrative Codes.

"Council" or "Mayor and Council" or "Mayor and City Council" means the City of North Miami Beach Mayor and City Council.

"County" means Miami-Dade County, Florida.

"CRA Board" or "Board" or "CRA Board of Commissioners" means the community redevelopment agency board of commissioners.

"CRA policy statement" means a resolution passed by the CRA Board.

"State" means the State of Florida.

"TIF" means tax increment financing.

Section 6 describes more than 25 programs for which the Agency will be empowered to use tax increment revenues; in essence, this section sets forth what the CRA will do. It is intended that these programs will serve as a "tool box" that will be used by the CRA and the City to transform this key area into an exciting and prosperous area in which people of all walks of life will work, live, shop and be entertained.

### **Organization of the Plan Document**

The first section provides an overview of the existing character of the redevelopment area, including a summary of the *Finding of Necessity* report and a list of capital improvement projects that are currently authorized with an identified funding source.

The next three sections describe the legal foundations for the CRA's creation and for ensuring accountability.

Section 5 describes the larger picture or mission, in terms of that which the CRA will strive to accomplish.

Section 6 describes the programs the CRA will use to carry out redevelopment, mission, and fulfill the vision.

Section 7 has an explanation of the proposed short-term budget and related matters.

Section 8 discusses how the various CRA activities might affect the neighborhoods of the redevelopment area.

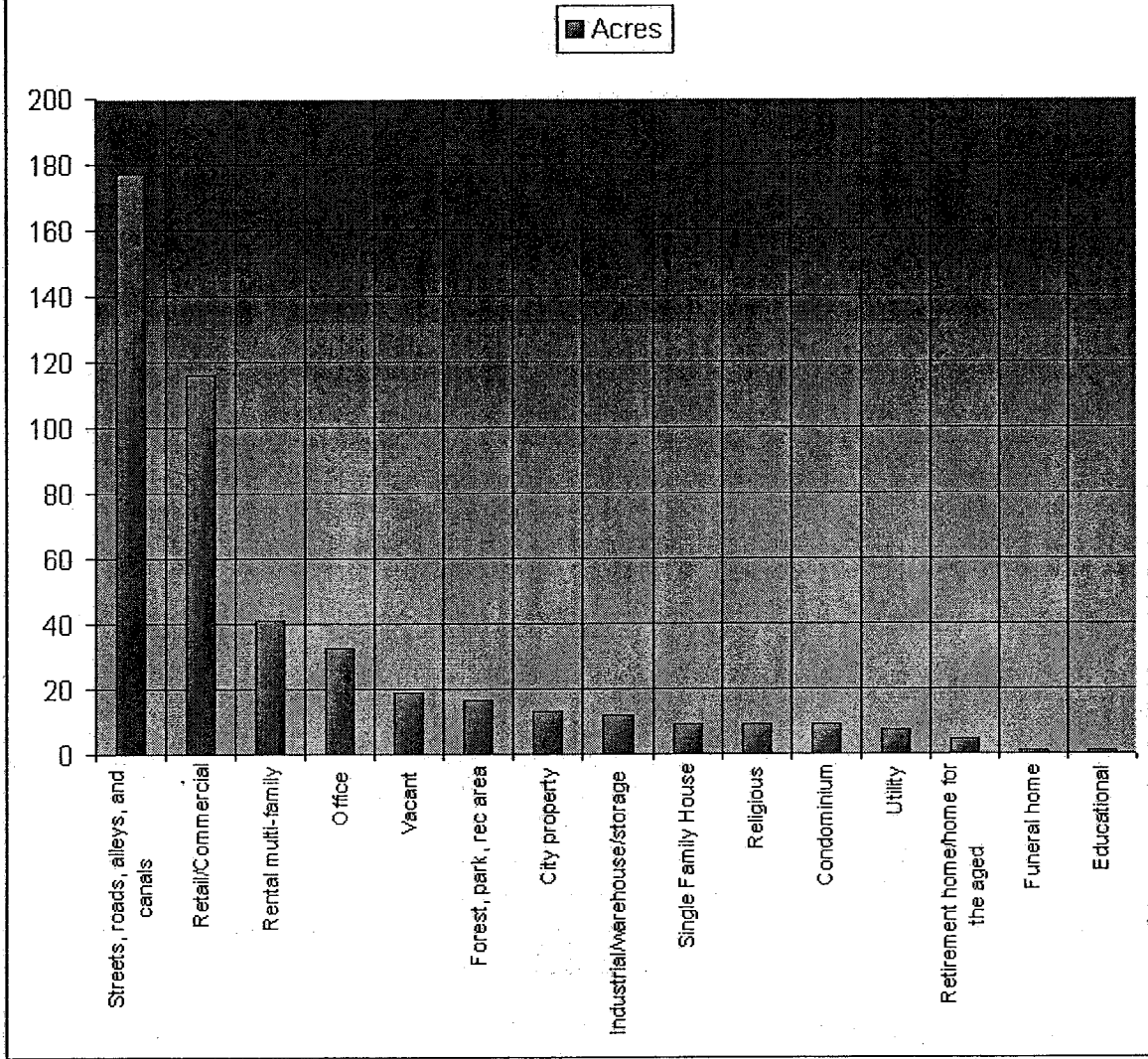
Sections 9 through 12 deal with technical topics that include the plan amendment process, property acquisition and disposition, and relocation.

Section 13 is devoted to an accounting of the goals and objectives from the City's Comprehensive Plan that are relevant to the redevelopment area.

Appendixes A through E contain various maps, the tax increment revenue projections, and the legal description of the area.

### Redevelopment Area - Existing Land Use

Data source: 01 Sep 2004 Miami-Dade County Property Appraiser  
Created by: Patrick Brett, Urban Analyst, City of North Miami Beach  
Created on: 25 Oct 2004



### Community Redevelopment Area - Public vs. Private Land Use

Private and Public	Acres	% Acres of CRA
Private	261.15	55.80%
Public	206.85	44.20%
TOTAL	468	100%



Year Built - residential buildings - by decade	#	(% of 181)	
1920-1929	2		1.1%
1930-1939	3		1.7%
1940-1949	8		4.4%
1950-1959	82		45.3%
1960-1969	70		38.7%
1970-1979	15		8.3%
1980-1989	0		0.0%
1990-1999	1		0.6%
2000-2003	0		0.0%

\* Over 91% of the residential buildings, including condominiums, were constructed prior to 1970.

\*\* Since 1980, only 1 residential building was constructed in the redevelopment area.

### **Retail and Commercial**

There is not a specific retail/commercial core area within the CRA. Retail and commercial uses within the CRA are mainly concentrated along S.R. 826 (NE 163 Street), West Dixie Highway, and Hanford Boulevard (NE 164 Street). The retail uses are predominately general business strip shopping centers interspersed with various freestanding uses. There are also general business uses located on NE 15 Avenue and NE 19 Avenue.

Most of the retail and commercial consists of small, locally owned businesses. There is only one "big-box" national retailer, which is a Kmart at the far west end of the CRA between NE 8 and NE 10 Avenues. There are three super markets, including Publix, Winn-Dixie, and Lorenzo's Italian Market. Auto related uses include car dealerships in the area of NE 163 Street and West Dixie Highway and three tire stores. There are several fast food restaurants.

#### **1. Offices**

Office buildings in the CRA are relatively small, ranging in size from 1000 square feet to 42,000 square feet. In terms of height, the tallest is four stories. Most of the office space is along NE 163 Street between NE 12 Avenue and Biscayne Boulevard. There also are some office buildings on Hanford Boulevard (NE 164 Street), NE 19 Avenue, and West Dixie Highway.

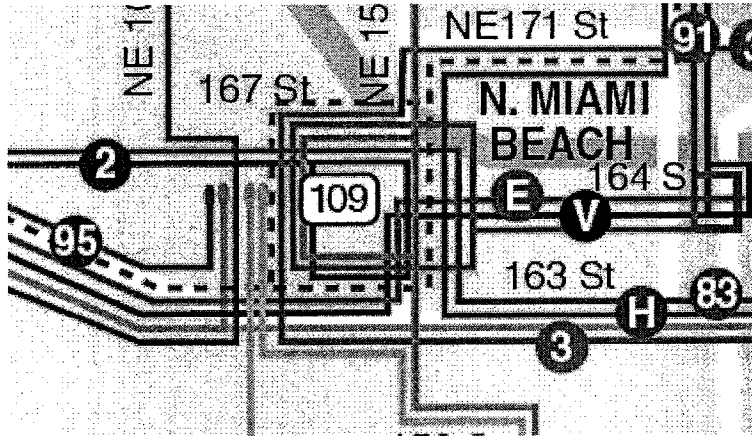
#### **2. Residential**

Residential uses are found in the eastern half of the CRA. Almost all of the residential is either rental apartments or condominiums. There are a total of 1,534 rental apartments, most of which are in one or two story buildings. There are only two high-rises, which the tallest one is ten stories. They are located along both the north and south side of the Snake Creek Waterway, NE 167 Street, and in the Corona Del Mar neighborhood between NE 162 and NE 159 Streets.

There are eight condominium buildings in the CRA with a total of 587 units. Six of the buildings are between Hanford Boulevard (NE 164 Street) and the Snake Creek Waterway, one is on NE 168 Street near the Waterway, and one is on at NE 162 Street and NE 18 Court. The condominium buildings range in height from three stories to ten stories.

### c) Public Transportation

Miami-Dade Transit's northeast Miami- Dade County transit hub for bus service is located at the Mall at 163rd Street ("Mall"). The Mall is not in the CRA. However, the Mall is located between NE 12 and 15 Avenues and between NE 163 and NE 167 Streets and is adjacent to the CRA.



There are bus stops on all four sides of the Mall property. The graphic illustrates the concentration of bus activity around the Mall. The CRA is well served by public transportation because of the transit hub and bus route concentration.

### d) Parks and Recreation Facilities

Parks and recreation facilities located in the CRA include the following:

The Patricia Mishcon Athletic Field is located to the southeast of the intersection of NE 15 Avenue and NE 167 Street. The field is used for baseball, football, and soccer.

Challenger Park, a passive-use park with several veterans' memorial monuments, is located adjacent to the Snake Creek Waterway, just east of the Patricia Mishcon Athletic Field.

The Gwen Margolis Amphitheater is located just south of Challenger Park.

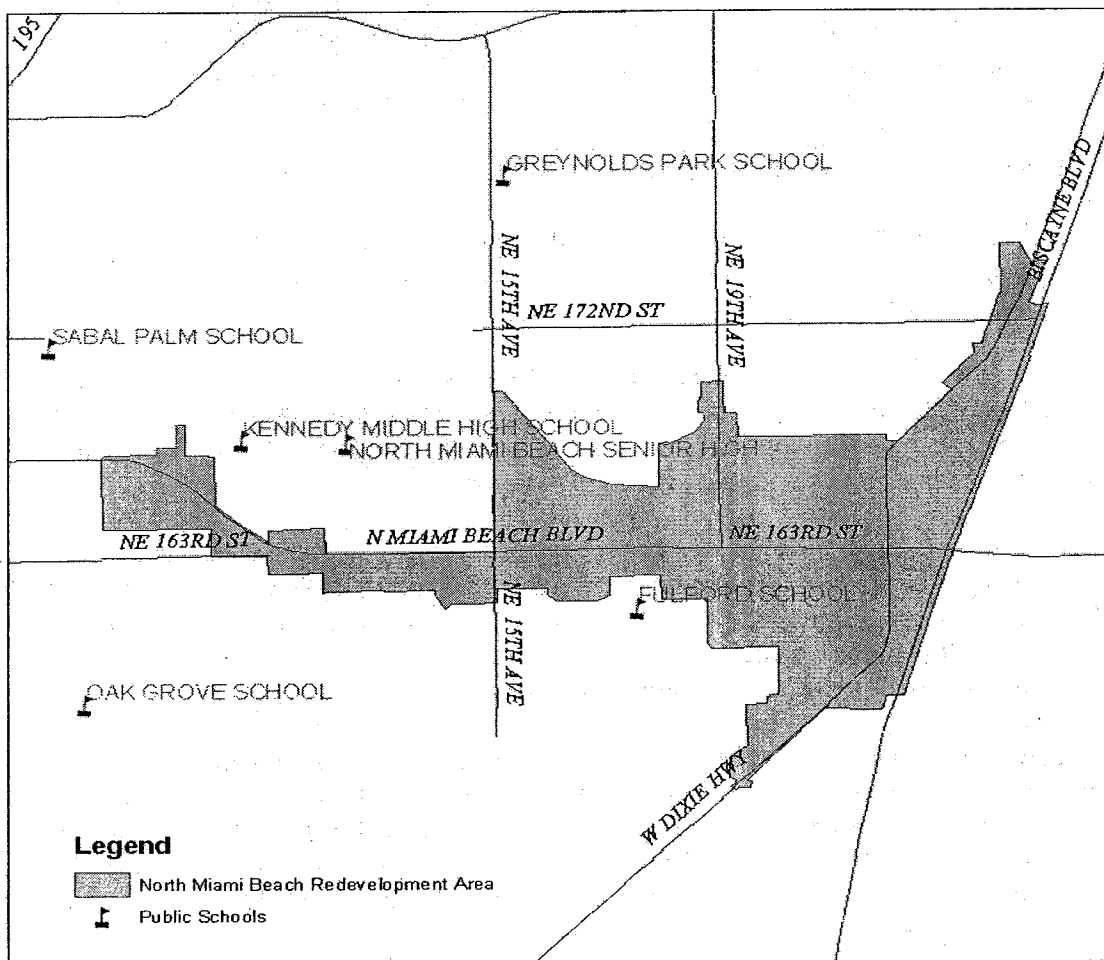
The Snake Creek Waterway runs for a distance of 1.2 miles through the CRA from NE 15 Avenue to Biscayne Boulevard. There are bike paths/walkways on both the north and south sides of the waterway. The bike paths/walkways are lighted at night.

The Arthur I. Snyder Tennis Center is located in the east portion of the CRA east of West Dixie Highway and north of NE 167 Street.

The Barry Silverman Tot Lot is located on the northeast corner of NE 161 Street and NE 19 Place.

**Public Schools Near the Community Redevelopment Area**

Type	Name	2004 FCAT Overall	Distance from CRA (feet)
Elementary			
	Fulford	A	100
	Edelman, Gertrude/Sabal Palm	A	487
	Oak Grove	B	762
	Greynolds Park	A	905
Secondary			
	North Miami Beach Senior	C	350
	John F. Kennedy Middle	C	126



This map is for reference only. Accuracy is not warranted or guaranteed.

that were identified were due to irregular plats adjacent to or residing on Biscayne Boulevard, a federal road.

Land assemblage is often a deterrent to redevelopment efforts. Small lot size, combined with diversity of ownership is an obstacle to assembling sufficient land to build a significant project.

In the redevelopment area over the past decade, development had been limited to only a few small projects such as fast food restaurants and a full service pharmacy.

**Commercial Building Deterioration:** A large number of structures were found to be in either major or minor deteriorating condition. These structures were scattered throughout the study area.

**High Vacancy Rates:** Numerous "For Rent" or "For Lease" signs were posted throughout the commercial district within the redevelopment area. While the citywide vacancy rate was 3.6%, the redevelopment area had a 9.7% vacancy rate, which indicated a high vacancy concentration of almost 2 ½ times that of the City

**Deterioration and Deficiencies:** Site deterioration and deficiencies were prevalent in the form of broken pavement in streets and sidewalks, and accumulations of trash in vacant lots, on streets, and in parking lots.

**Unsanitary Conditions:** Unsanitary conditions were present and included items such as abandoned cars, furniture, fixtures, accumulation of trash, and debris.

**Drainage Deficiencies:** Drainage deficiencies were observed during the rainy days of the field study. In the redevelopment area, several blocks and intersections showed signs of flooding where water was standing on the streets and sidewalks.

**Property Maintenance Code Violations:** Violations of property maintenance standards lead to substandard conditions arising in the buildings. This directly inhibits investment in the study area for redevelopment.

The redevelopment area had almost twice as many code violation citations per property as the remainder of the City.

**Non-Conforming Structures:** Non-conforming parking arrangements were identified in blocks where off-street parking did not meet minimum code standards.

**Closed Buildings:** Closed buildings indicated obsolescence and stagnate economic growth. Numerous buildings in the study area were found to be closed or boarded-up.

**Vacant Lots:** Vacant lots denoted non-productive use of land in a community. These conditions lead to blight (e.g., unsanitary conditions, higher crime, and general disuse)

### **Capital Improvements**

The City of North Miami Beach, Miami-Dade County, and Florida Department of Transportation (District 6) have planned and identified funding sources for the following capital improvements located within the community redevelopment area.

#### **City of North Miami Beach Capital Improvement Plan**

<b>Project ID</b>	<b>Beginning Location</b>	<b>Ending Location</b>	<b>Yr</b>	<b>Project Type</b>
Hanford Blvd Phase III	NE 15 AVE / NE 164 ST	NE 23 AVE / NE 164 ST	2005	DRAINAGE, RECONSTRUCTION, AND RESURFACING
Corona Del Mar	Corona Del Mar Neighborhood		2005	RECONSTRUCTION
Nova University Block Improvements	NE 18 AVE / NE 168 ST & NE 18 AVE / NE 167 ST	NE 19 AVE / NE 168 ST & NE 19 AVE / NE 167 ST & MIAMI DR INCLUSIVE	2005	RESURFACING AND RECONSTRUCTION

#### **Miami-Dade County Public Works Department**

<b>Beginning Location</b>	<b>Ending Location</b>	<b>Project Status</b>	<b>Project Type</b>
NE 12 AVE / NE 161 ST	NE 12 AVE / NE 164 ST	AUTHORIZED	ROAD IMPROVEMENTS
NE 15 AVE / NE 161 ST	NE 15 AVE / NE 170 ST	AUTHORIZED	ROAD IMPROVEMENTS

#### **Miami-Dade County Water and Sewage Department**

<b>Beginning Location</b>	<b>Ending Location</b>	<b>Project Status</b>	<b>Project Type</b>
NE 20 AVE / NE 168 ST	NE 19 PL / NE 159 ST	AUTHORIZED	36" SEWER MAIN

#### **Florida Department of Transportation**

<b>Project ID</b>	<b>Beginning Location</b>	<b>Ending Location</b>	<b>Yr</b>	<b>Project Type</b>
UNK	S.R. 826 / NE 9 AVE	S.R. 826 / NE 9 AVE	2005	SAFETY IMPROVEMENTS
DT4126372	NE 10TH AVE / SR 826	W. DIXIE HIGHWAY / SR 826	2005	RESURFACING

centers, including meeting rooms, banquet facilities, parking garages, lobbies, and passageways, and other improvements necessary for carrying out in the community redevelopment area the community redevelopment objectives of this part in accordance with the community redevelopment plan.

4. Disposition of any property acquired in the community redevelopment area at a value to be determined in accordance with Section 163.380(2) for uses in accordance with the community redevelopment plan.

5. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the community redevelopment plan.

6. Acquisition of real property in the community redevelopment area which, under the community redevelopment plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property.

7. Acquisition of any other real property in the community redevelopment area when necessary to eliminate unhealthful, unsanitary, or unsafe conditions; lessen density; eliminate obsolete or other uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public facilities.

8. Acquisition, without regard to any requirement that the area be a slum or blighted area, of air rights in an area consisting principally of land in highways, railway or subway tracks, bridge or tunnel entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences and for the provision of housing (and related facilities and uses) designed specifically for, and limited to, families and individuals of low or moderate income.

9. Construction of foundations and platforms necessary for the provision of air rights sites of housing (and related facilities and uses) designed specifically for, and limited to, families and individuals of low or moderate income.

(d) To provide, or to arrange or contract for, the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities, or other facilities for or in connection with a community redevelopment; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements; and to agree to any conditions that it deems reasonable and appropriate which are attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of a community redevelopment and related activities, and to include in any contract let in connection with such redevelopment and related activities provisions to fulfill such of the conditions as it deems reasonable and appropriate.

(e) Within the community redevelopment area:

1. To enter into any building or property in any community redevelopment area in order to make inspections, surveys, appraisals, soundings, or test borings and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted.

2. To acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain, or otherwise any real property (or personal property for its administrative

to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

3. Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of community redevelopment and related activities.

(i) To develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of slums and urban blight and developing and demonstrating new or improved means of providing housing for families and persons of low income.

(j) To apply for, accept, and utilize grants of funds from the Federal Government for such purposes.

(k) To prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, nonprofit organizations, and others) displaced from a community redevelopment area and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the Federal Government.

(l) To appropriate such funds and make such expenditures as are necessary to carry out the purposes of this part; to zone or rezone any part of the county or municipality or make exceptions from building regulations; and to enter into agreements with a housing authority, which agreements may extend over any period, notwithstanding any provision or rule of law to the contrary, respecting action to be taken by such county or municipality pursuant to any of the powers granted by this part.

(m) To close, vacate, plan, or replan streets, roads, sidewalks, ways, or other places and to plan or replan any part of the county or municipality.

(n) Within its area of operation, to organize, coordinate, and direct the administration of the provisions of this part, as they may apply to such county or municipality, in order that the objective of remedying slum and blighted areas and preventing the causes thereof within such county or municipality may be most effectively promoted and achieved and to establish such new office or offices of the county or municipality or to reorganize existing offices in order to carry out such purpose most effectively.

(o) To exercise all or any part or combination of powers herein granted or to elect to have such powers exercised by a community redevelopment agency.

(p) To develop and implement community policing innovations.

(2) The following projects may not be paid for or financed by increment revenues:

(a) Construction or expansion of administrative buildings for public bodies or police and fire buildings, unless each taxing authority agrees to such method of financing for the construction or expansion, or unless the construction or expansion is contemplated as part of a community policing innovation.

(b) Installation, construction, reconstruction, repair, or alteration of any publicly owned capital improvements or projects which are not an integral part of or necessary for carrying out the community redevelopment plan if such projects or improvements are normally financed by the governing body with user fees or if such projects or improvements would be installed, constructed, reconstructed, repaired, or altered within 3 years of the approval of the community redevelopment plan by the governing body pursuant to a previously approved public capital improvement or project schedule or plan of the governing body which approved the community redevelopment plan.

### Section 3: Authority to Undertake Redevelopment

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The Plan has been prepared in accordance with the Community Redevelopment Act, Chapter 163, Part III, *Florida Statutes*. The adoption of this Plan, and any subsequent modifications or amendments, shall follow the required procedures through public hearings and the adoption of the necessary resolutions and ordinances.

In recognition of the need to prevent the spread of and eliminate the existence of blighted conditions within the community, the Community Redevelopment Act confers upon counties and municipalities the authority and powers to carry out community redevelopment.

For purposes of the Plan, the following definition as provided in Chapter 163, Part III, *Florida Statutes*, shall apply.

"Community redevelopment" or "redevelopment" means undertakings, activities, or projects of a county, municipality, or community redevelopment agency in a community redevelopment area for the elimination and prevention of the development or spread of slums and blight, or for the reduction or prevention of crime, or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly, and may include slum clearance and redevelopment in a community redevelopment area or rehabilitation and revitalization of coastal resort and tourist areas that are deteriorating and economically distressed, or rehabilitation or conservation in a community redevelopment area, or any combination or part thereof, in accordance with a community redevelopment plan and may include the preparation of such a plan.



### **Safeguards to Ensure Proper Implementation and Project/Program Accountability**

Measurable objectives for each CRA program shall be established upon its administrative design and funding approval by the Board. This shall be done on an annual basis at the time the TIF budget is adopted. The annual CRA budget shall be subject to the Miami-Dade County Board of County Commissioners approval.

The CRA shall hold an annual informational public workshop to:

- a. Report on the status and progress of programs and projects;
- b. Gather input from property owners, citizens, and interested parties regarding redevelopment activities; and
- c. Discuss strategies relating to local redevelopment issues

### **Safeguards Through Retention of Certain Powers by the County**

Powers retained by the County shall be provided in the Interlocal Agreement between the Agency, the City, and the County.

### **Providing for a Time Certain and Severability**

Redevelopment of a contractual, financial, and programmatic nature financed by increment revenues shall have a maximum duration or commitment not exceeding forty (40) years after the fiscal year in which the Plan is approved or adopted by the Miami-Dade County Board of County Commissioners. The specific time for termination of the Plan shall be established by the Miami-Dade County Board of County Commissioners at the time of the Plan's adoption.

developments, offers the flexibility to meet a variety of market needs, creates an environment that attracts day and evening activities, and is occupied by visitors and residents of all ages, ethnicities, and income levels, business owners and operators with a vested interest in the vitality of the neighborhood.

- Earn the trust and respect of the residents, business owners, and property owners within the redevelopment area while casting the community, without fail, in a positive light to the City, the County, the State, and the Nation and while sharing their stake in the vitality of the neighborhood.

### **Measurable Objectives**

The establishment of clear and measurable objectives will assist the CRA in attaining the three goals listed above. Baseline data for the measurement of success was detailed in the *Finding of Necessity*. The following objectives rely on the baseline data that established the need for the CRA in the first place, and identify the improvements the CRA will strive to achieve.

**Increase the economic prosperity within the redevelopment area** by creating an environment that is conducive to and encouraging of private investment as determined by:

- the extent to which private investment in new development increases over the \$2.8 million worth of projects built during the 10 years prior to the establishment of the CRA;
- the extent to which the disparities between annual increases in aggregate taxable values in the redevelopment area and increases in aggregate taxable values in the remainder of City and County are overcome. (Redevelopment area averaged 4.9%, whereas City and County were 7.8% and 9.1% respectively during the four years prior to the establishment of the CRA);
- the extent to which the average net rent an owner in the redevelopment area can receive (redevelopment area averaged \$12 to \$15 per square foot per year) increases and overcomes the disparity when compared to the average net rent in the area east of Biscayne Boulevard near NE 163 Street (averaged \$25 to \$28 per square foot per year); and
- the extent to which commercial vacancy rates within the redevelopment area (averaged 9.7%) are reduced to a level comparable to the citywide vacancy rate (averaged 3.6%).

**Increase the amount of public investment in major infrastructure, streetscape, and landscape improvements constructed in the redevelopment area** as necessary to accomplish the following:

- the elimination of any and all locations where the lack of adequate drainage detracts from the ability of the redevelopment area to successfully function and improve;
- the addition of sewer infrastructure necessary to accommodate existing and planned development within the redevelopment area;
- the addition of parking facilities as necessary to support an active city center; and

4. The Plan shall serve as the primary policy guide and provide the primary tools for the City's redevelopment efforts within the CRA area.
5. The CRA shall pursue compliance with the goals, objectives, and guidelines that are established by the City's development review boards for all development and redevelopment activities it supports or initiates.
6. The CRA shall work towards leveraging the maximum amount of non-tax increment financing resources possible to assist in the redevelopment of its assigned area.
7. The CRA shall actively pursue the purchase and/or redevelopment of vacant or abandoned properties in the redevelopment area as a priority.
8. The CRA shall identify and actively pursue successful "Quick Victory" projects in its earliest stages to increase public awareness and support for its longer-range challenges and programs.
9. The CRA will actively "partner" with both public and private sector entities towards the achievement of its redevelopment goals and to gain the maximum leveraging of assets and cooperation.
10. The CRA, in cooperation with local residents, businesses, property owners, and development interests, shall seek to identify and rehabilitate significant historical and cultural elements of the community.
11. Where appropriate, the CRA shall encourage and facilitate an integrated system of pedestrian circulation, parks, and open space in the redevelopment area with special emphasis on providing residents with easy and safe access to commercial activities.
12. The CRA shall support and participate in the provision of an efficient parking system throughout the redevelopment area.
13. The CRA shall encourage that potable water, wastewater treatment, and stormwater drainage systems accommodate present and future demands in a timely, cost-efficient, and equitable manner while protecting the health, safety, and welfare of the system users and the environment.
14. The CRA shall support in environmental clean-up activities where environmental problems are an obstacle to successful redevelopment.
15. The CRA shall encourage the development of new housing units and the rehabilitation of existing units in the redevelopment area.
16. The CRA shall provide for priority to be given to residents of the redevelopment area, and secondly to those of City of North Miami Beach, to purchase homes developed under the Plan to the extent the law allows.
17. The CRA shall consider providing a priority to local business entities for their participation in all redevelopment programs to the extent it deems legal and in the public interest.
18. The CRA, with the assistance of neighborhood-based organizations, Housing Finance Authority, financial institutions, government, development interests, and real estate representatives, shall preserve and enhance existing residential areas to provide a variety of housing opportunities for all income levels.
19. The CRA shall undertake annual continuous improvement programs and other activities that are designed to prevent the recurrence and spread of negative conditions.
20. The CRA, in cooperation with the North Miami Beach Police Department, Miami-Dade County Fire Rescue Department, and Code Enforcement Division, shall work to create a safe, quality environment for residents and businesses.

## Section 6: Community Redevelopment Programs

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This section provides the tools for redevelopment activities. The programs outlined in this section may be utilized as needed over the life of the Agency. Specific details and criteria will be established and approved by the Board in accordance with the procedure delineated in Section 4: Safeguards to Ensure Community Redevelopment Follows the Redevelopment Plan.

The programs included within a community redevelopment plan may be designed either in a site-specific manner or in a generalized manner such that the programs exist as “tools in a toolbox” whereby any individual program may apply to a number of different properties within the redevelopment area. In the CRA, the Mayor and City Council has determined that the most appropriate approach for the agency’s programs is to utilize the “toolbox” approach. In reaching this decision, the Mayor and City Council and community spent months in deliberation, workshops, and individual and community discussions. The adoption of this strategy by the Mayor and City Council is not in the arena of technical or legal oversight. Rather, it is a policy decision that provides the CRA with the greatest ability to serve the redevelopment needs of the community as they evolve over the life of the agency’s existence.

### Area Wide Programs and Strategies

#### **a) Development and Improvement Incentives**

The programs in this subsection are designed to directly stimulate and support private investment in new real estate development, property improvements, new businesses, increased business activity, and as a result thereof creation of new jobs. These programs are needed to eliminate and prevent blighting conditions.

#### ***Direct Financial Incentives to Generate New Private Development***

There is often an economic “gap” between the total cost of development of a project and the market value of the completed project, due largely to the high cost of site acquisition. There is a need for a reduction in cost to make projects financially viable for private developers. With regard to residential uses, there is a need to stimulate homeownership and offer new housing options in a range of prices in accordance with sound inclusionary housing strategies.

The CRA will be empowered to financially subsidize commercial, residential, and mixed-use private development projects, including but not limited to, direct grants, and the sale of real estate owned by the CRA at a discounted price. The CRA will prepare and adopt guidelines for determining eligibility and the amount of the incentive payment or discount.

### ***Marketing Research***

The CRA may provide funding and guidance to create a useful and locally tailored marketing plan to identify the appropriate mix of retail, office, and residential for the redevelopment area. The goal of this plan is to provide information for businesses, landlords, and developers indicating what profitable business opportunities exist given the area's socio-economic character, and dynamics of the market.

### ***Advertisement and Promotions***

There will be an ongoing need to ensure awareness of investment, development, business, and residential opportunities within the redevelopment area. In addition, there will also be a need to provide promotional support for area businesses and to create an identity (branding).

Towards this end, the CRA may assist in the funding for the creation of promotional campaigns aimed at increasing business volume and residential interest in the area. Appropriate media venues shall include, but not be limited to, visual (television commercials), audio (radio commercials), digital (internet web site), and print media (newspaper, magazine, specialty publications, marketing collateral). The CRA also will be empowered to pay for other promotional efforts, including but not limited to, staff, consultants, materials production costs, distribution costs, special purpose equipment and systems, and events.

### ***Business and Redeveloper Recruitment***

The CRA may fund the costs to recruit quality businesses, investors, and redevelopers to the community redevelopment area.

### ***Land Banking and Site Assembly***

In order to help further the purposes of the Plan, it may be necessary from time to time for the CRA to purchase a property or multiple properties either for current or future redevelopment opportunities.

The CRA will be empowered to purchase properties to hold for current or future opportunities or to assemble with other properties. The CRA may also pay for related costs, including but not limited to, transaction costs, site clearance, demolition, and repairs.

The CRA also may pay for costs associated with the disposition of property it acquires, including but not limited to, marketing, the request-for-proposal (RFP) process, and transaction costs.

This program shall be utilized as a secondary tool after efforts have been made to encourage the private sector to take the lead in response to redevelopment opportunities.

The City and the CRA will seek to purchase real property on the basis of negotiated voluntary sales. At the time of the adoption and approval of this Plan, there are no specific properties that the CRA is proposing to purchase using eminent domain. In the event that a future need is identified requiring the use of eminent domain under Chapter 163, Part III, F.S., the CRA must propose an amendment to the Plan that identifies the specific properties that might be acquired using eminent domain. Any such amendment to the Plan authorizing the use of eminent domain

Only the owners of real property with a "Homestead Exemption" at the CRA's inception are eligible to participate in this program.

This program is designed to assist existing homeowners to remain in the area, and to show the intent of the Agency to undertake a number of activities that will assist current owners to remain in the area as the redevelopment effort goes forward. This program is also designed to help homeowners reinvest in their homes, the community, and the City of North Miami Beach. The Agency will prepare and adopt specific guidelines for determining eligibility and the payment amounts.

#### ***Mortgage Subsidies and Second Mortgage Assistance***

In order to encourage homeownership, the CRA may provide subsidies to reduce the costs of purchasing a house or condominium unit. The Agency shall have the authority to structure such subsidies in a variety of ways, including but not limited to, grants to be applied toward the purchase price and second mortgages wherein no repayment is required during the homeowner's period of ownership. The CRA must be repaid the grant or second mortgage principal upon the sale of the residential property. The Agency will prepare and adopt guidelines for determining eligibility, penalties, and procedures.

#### **d) Infrastructure Improvements Programs**

Working with the appropriate City, County, or State of Florida departments, the Agency may allocate funds to remedy infrastructure deficiencies and address identified future needs, including water utilities, sanitary sewer utilities, roadways, sidewalks, and stormwater management. All infrastructure projects funded by the Agency shall be for increasing the area's redevelopment potential and the likelihood of private investment. These programs are not designed to replace the City's funding already allocated for capital improvements in the area but rather to augment them.

The CRA shall not budget or expend redevelopment trust fund monies for any physical infrastructure improvements east of the centerline of Biscayne Boulevard.

#### ***Street and Alley Improvements***

There are streets and alleys in the community redevelopment area that are in need of repair or rebuilding.

The CRA will be empowered to pay the cost of repairing, rebuilding, and maintaining streets and alleys in the community redevelopment area. Improvements also will include, but not be limited to, sidewalks, landscaping, streetlights, street furniture, and signs.

#### ***Stormwater Drainage Improvements***

There are numerous streets in the community redevelopment area that flood during rainstorms. In many cases, the surface water remains for days after the storm. Furthermore, many individual properties in the anticipated rebuilt urban environment will not be able to retain stormwater on site, which will seriously limit the potential for new development.

redevelopment of contaminated properties. The CRA will prepare and adopt guidelines for determining eligibility and the amount of the payments.

#### **f) Air Rights**

As provided in Chapter 163, Part III, *Florida Statutes*, the Agency shall be empowered to acquire air rights when necessary for the creation of parking facilities or for other redevelopment purposes.

#### **g) Matching Funds for Grants**

As provided by Chapter 163, Part III, *Florida Statutes*, CRAs may apply for and receive grants. Most grant programs require some level of matching funding from the recipient.

The CRA will be empowered to use monies to provide matching funds for grants, regardless of what entity applies for the grant, provided the proceeds of the grant will be used for community redevelopment within the redevelopment area.

#### **h) Code Enforcement**

Adequate code enforcement is required to protect property values, commercial activity levels, and the quality of life of the residents within the community redevelopment area. Code enforcement also is important to attracting new investment, new development, new businesses, and new residents.

The CRA may fund increased code enforcement services within the community redevelopment area by working with the City or County. The goal of this program is to increase the marketability, aesthetics, and structural integrity of the properties in the community redevelopment area.

The CRA will be empowered to reimburse the City or County for all or a portion of code officers that operate in the community redevelopment area.

#### **i) Community Policing Innovations**

Adequate law enforcement is required to protect property values, commercial activity levels, and the quality of life of the residents within the community redevelopment area. Law enforcement also is important to attract new investment, new development, new businesses, new residents, and remove and prevent blight conditions.

The CRA shall have the authority to pay for the cost of utilizing community policing strategies designed to reduce crime within the community redevelopment area. These strategies may include, but are not limited to Community Mobilization, Neighborhood Block Watch, Citizen Patrol, Foot Patrol, Bicycle Patrol, Neighborhood Storefront Police Station, Motorized Patrol, and the installation and maintenance of security systems.

## **Section 7:      Redevelopment Agency Finances and Budget Projections**

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### **The Budget Process**

The projected revenue expenditures presented in this section are required as part of a complete Plan, however, they do not commit the North Miami Beach CRA Board of Commissioners to any expenditure of funds. The Board shall adopt an annual budget and work program in accordance with its adopted by-laws at the onset of each fiscal year. This process will be carried out in accordance with the Interlocal Agreement among Miami-Dade County, City, and CRA.

#### **a) Projected Revenue for the Initial Five-Year Program**

The Agency will make every effort to leverage non-TIF funds such as grants for its redevelopment effort. For purposes of the budget, the only revenue source presented is the projected TIF funds. The total TIF revenue amount for the first five-years of the Agency is projected to be \$2,468,313 (\$1,086,058 County contribution & \$1,382,255 City contribution). The year-by-year breakout of revenue availability is presented on the next page. It should be noted that all figures presented are estimates only.

It is important to note that the revenue projections utilize current City and County millage rates, maximum TIF, and bond dollar amounts. Revenues will fluctuate based upon future millage rate changes, the total taxable value of the redevelopment area, and the degree of County participation. The estimates used are based upon a contribution by Miami-Dade County of 95% of the total tax increment generated in the redevelopment area. The actual percentage amount of contribution shall be determined by the Miami-Dade Board of County Commissioners pursuant to Section 163.387, F.S.. All terms and conditions shall be established in an Interlocal Agreement between the City, County, and Agency.

The tax increment revenue projects do not include any revenue from The Children's Trust of Miami-Dade County. The Children's Trust shall be exempt from making any contribution to the North Miami Beach Community Redevelopment Trust Fund.



## b) Five-Year Financial Estimates for the CRA's Implementation

### PROGRAM BUDGET ESTIMATES AND PERFORMANCE MEASURES

PROGRAMS	Performance Measures	FY 2005/06	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10	TOTALS
Development Incentives	1,3,4	60,000*	160,000	205,000	240,000	350,000	\$1,015,000
Infrastructure Improvements	2	15,000*	60,000*	100,000	200,000	250,000	\$625,000
Residential Reinvestment	5	60,000*	65,000	75,000	100,000	120,000	\$420,000
Beautification and Appearance	1, 2, 5	19,026*	29,884	35,000	36,000	37,000	\$157,910
Community Policing	6			43,000	55,000	59,000	\$157,000
Code Enforcement	5			26,712	32,371	35,320	\$93,403
<b>TOTALS</b>		<b>154,026</b>	<b>314,884</b>	<b>484,712</b>	<b>663,371</b>	<b>851,320</b>	<b>\$2,468,313</b>
* Includes funding for planning studies and marketing research.							

Program budget estimates above include salaries, administration, overhead, professional consulting services, and any contingency involved in the implementation of the programs aimed at accomplishing the objectives listed below.

Program budget estimates incorporate Miami-Dade County Administrative Fee of 1.5% of CRA's annual revenues.

#### Performance Measures:

(see measurable objectives in section 5 of this Plan for further details)

1. Increase the economic prosperity within the redevelopment area.
2. Increase the amount of public investment in major infrastructure, streetscape, and landscape improvements constructed in the redevelopment area.
3. Improve the socioeconomic status of residents within the redevelopment area.
4. Reduce the number of lots within the redevelopment area that act as a deterrent to redevelopment.
5. Reduce the amount of property maintenance problems, code violations, substandard conditions, structures with deteriorating conditions, abandoned cars, discarded and unattended furniture, fixtures, and accumulations of trash and debris.
6. Reduce crime rates.

## Section 8: Neighborhood Impact of Programs

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### Introduction

This section provides a review of the potential impacts of the redevelopment programs upon the residents of the redevelopment area and the neighborhood in general.

The redevelopment efforts in North Miami Beach are at a very early stage and the impacts of future redevelopment activities are difficult to fully identify at this time. Future impacts generated by redevelopment activities will be reviewed on a case-by-case basis as proposed projects proceed through formal development approval process.

### Land Use, Zoning, and Development Approvals

All activities within the community redevelopment area shall conform to the official City of North Miami Beach *Comprehensive Plan*, *Zoning Map*, and *Zoning and Land Development Regulations* as approved and adopted by the Mayor and City Council of the City of North Miami Beach, Florida.

#### **a) Land Use in the Community Redevelopment Area**

The future land use within the CRA for the purposes of this Plan shall be as specified by the *Future Land Use Map* included as part of the officially adopted *Comprehensive Plan*. A map showing the future land use designations within the CRA are presented in this Plan (See Appendix A). The titles of the *Future Land Use Map* categories are as follows:

- Residential High Density
- Residential Medium Density
- Residential Low Density
- Business
- Public and Quasi-Public
- Recreation and Open Space
- Industrial
- Mixed Use

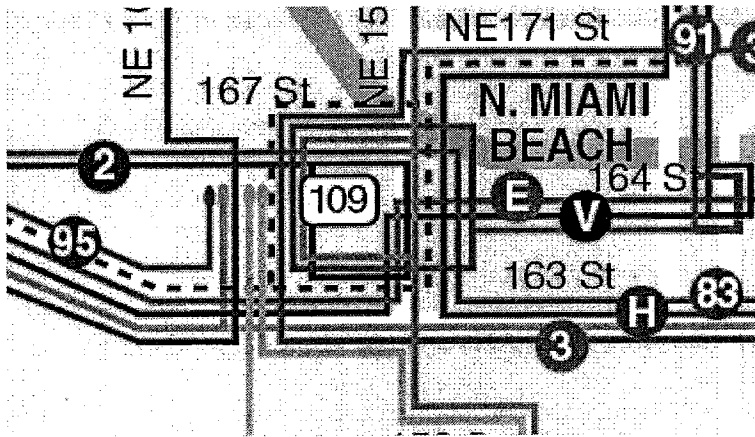
The community redevelopment plan does not propose any changes to the *Comprehensive Plan* or the *Future Land Use Map*.

## Traffic Circulation

### **a) Streets**

It is the intent of the CRA to promote and improve safe, efficient, and convenient traffic circulation throughout the redevelopment area.

The Plan contains no proposals to change the existing street pattern within the community redevelopment area nor are there any proposals to construct new streets or close any streets. The Plan does propose to make improvements to the condition of several streets throughout the district. The Agency will be empowered to financially assist such projects as reconstructing streets, repaving streets, reconstructing sidewalks, and upgrading the stormwater drainage system to eliminate the flooding and standing water problems that interfere with traffic circulation. Enhancements to better accommodate pedestrians are also proposed in the Plan.



### **b) Public Transportation**

Miami-Dade Transit's northeast Miami- Dade County transit hub for bus service is located at the Mall at 163<sup>rd</sup> Street ("Mall"). The Mall is not in the CRA but is adjacent to it, located between NE 12 and 15 Avenues and between NE 163 and NE 167 Streets. There are bus stops on all four sides of

the Mall property. The graphic illustrates the concentration of bus activity at this location.

Because of the transit hub and bus route concentration, the CRA is well served by public transportation. It is the intent of the Agency to promote greater use of public transportation by encouraging a more compact development pattern through redevelopment that supports mixed use and infill projects.

## Community Facilities and Services

The Mayor and City Council of the City of North Miami Beach have a longstanding policy of ensuring that all residents of the City have access to outstanding community facilities and services. The Agency shall exhibit a similar commitment. The Agency shall be empowered to financially assist the improvement or expansion of community facilities within the CRA area. The Plan contains no proposals to eliminate or decrease any of the community facilities in the CRA area.

## Effect on School Properties

### **Educational Facilities**

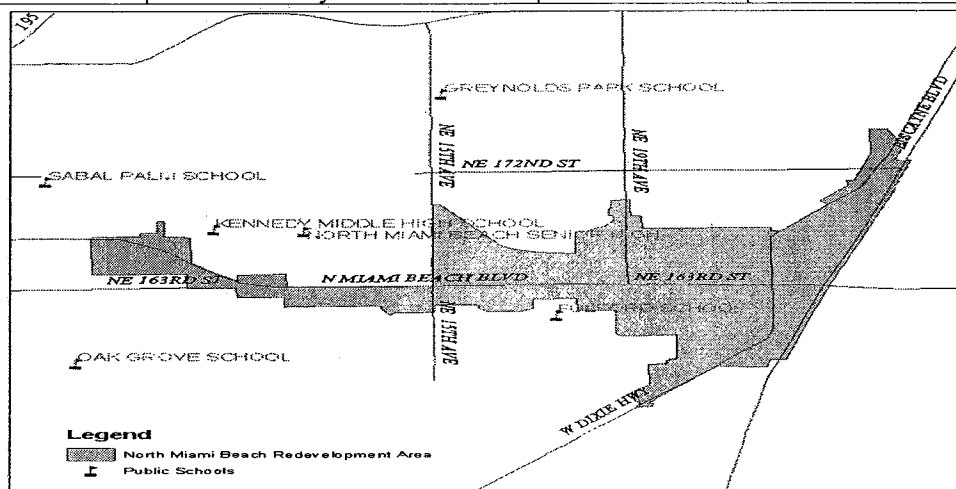
There are no public schools located within the community redevelopment area. Fulford Elementary is located adjacent to the CRA, between NE 160 and 161 Streets on NE 18 Avenue. The CRA will have no physical impacts on this school property.

The Plan does contemplate the development of additional housing units in the redevelopment area, including mixed use and multi-family projects. As a result, there likely will be some increase in school population. At this time, however, it is not possible to calculate how much of an increase. Future impacts generated by redevelopment will be reviewed on a case-by-case basis as part of the project approval required by the *Comprehensive Plan* and related concurrency regulations.

In anticipation of the possible need for additional school space, the Plan provides that the Agency will be empowered to provide financial support for development of charter school plant facilities. See section 7 for applicable programs.

#### **Public Schools Near the Community Redevelopment Area**

Type	Name	2004 FCAT Overall	Distance from CRA (feet)
Elementary			
	Fulford	A	100
	Edelman, Gertrude/Sabal Palm	A	487
	Oak Grove	B	762
	Greynolds Park	A	905
Secondary			
	North Miami Beach Senior	C	350
	John F. Kennedy Middle	C	126



This map is for reference only. Accuracy is not warranted or guaranteed.

## Section 9: Community Redevelopment Agency Plan Amendment Process

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The Plan may need to be amended in order for it to maintain its relevance and currency; to respond to priorities as they emerge; to serve new redevelopment areas; and to add needed specificity as projects, tax increment revenues, and expenditures are defined in more detail over time.

The CRA will initiate any amendment action by adopting a CRA policy statement recommending that the Mayor and City Council of the City of North Miami Beach amend the Plan in a specified manner. The Mayor and City Council must then hold an advertised public hearing on the proposed amendment and approve the amendment by passage of an appropriate Resolution. Any amendment action also requires a notification to be sent to the affected taxing authorities by registered mail at least fifteen days prior to the meeting at which the amendment is considered by the Mayor and City Council. After approval of the amendment by the Mayor and City Council, the request for amendment will be submitted to Miami-Dade County. The Miami-Dade Board of County Commissioners has the final authority to approve amendments to the Plan.

The State of Florida's "Community Redevelopment Act" (Chapter 163, Part III, *Florida Statutes*) does not specifically require that Plan amendments be reviewed by the Local Planning Agency (Planning and Zoning Board) for conformity with the *Comprehensive Plan*. Nonetheless, it is hereby stated that the policy of the Mayor and City Council is that any proposed amendment to the Plan shall be submitted by the Agency to the Planning and Zoning Board, as the Local Planning Agency, for a recommendation as to the amendment's conformance with the *Comprehensive Plan*.

If any provisions of this community redevelopment plan or subsequent amendments are found to be invalid, unconstitutional, or otherwise legally infirm, such provision shall not affect the remaining portions of the Plan.

Provide for the retention of controls and the establishment of any restrictions or covenants running with land sold or leased for private use for such periods of time and under such conditions as the governing body deems necessary to effectuate the purposes of this part.	Section 4 Section 11
Provide assurances that there will be replacement housing for the relocation of persons temporarily or permanently displaced from housing facilities within the community redevelopment area.	Section 12
Provide an element of residential use in the redevelopment area if such use exists in the area prior to the adoption of the plan or if the plan is intended to remedy a shortage of housing affordable to residents of low or moderate income, including the elderly, or if the plan is not intended to remedy such shortage, the reasons therefor.	Section 1
Contain a detailed statement of the projected costs of the redevelopment, including the amount to be expended on publicly funded capital projects in the community redevelopment area and any indebtedness of the community redevelopment agency, the county, or the municipality proposed to be incurred for such redevelopment if such indebtedness is to be repaid with increment revenues.	Section 6 Section 7 Appendix D
Provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted, or amended pursuant to s. 163.361(1). However, for any agency created after July 1, 2002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted.	Section 4

covenants, conditions, and restrictions, including covenants running with the land, as the CRA deems necessary or desirable to assist in carrying out the purposes of Chapter 163, Part III, *Florida Statutes*. Such sale, lease, or other transfer or retention, and any agreement relating to that transaction may be made only after the approval of the community redevelopment plan by the governing body.

The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the community redevelopment plan and may be obligated to comply with other requirements as the CRA may determine to be in the public interest. This includes the obligation to begin any improvements on such real property required by the community redevelopment plan within a reasonable time.

Real property shall be sold, leased, or otherwise transferred at a value determined to be in the public interest for uses in accordance with the community redevelopment plan and in accordance with reasonable disposal procedures the CRA may prescribe. In determining the value of real property as being in the public interest for uses in accordance with the community redevelopment plan, the CRA shall take into account and give consideration to the long-term benefits to be achieved by the CRA resulting from incurring short term losses or costs in the disposal of real property. In addition, the CRA shall take into account the uses provided in the redevelopment plan, the restrictions upon, and the covenants, conditions and obligations assumed by the purchaser or lessee or by the CRA retaining the property and the objectives of the redevelopment plan for the prevention of the recurrence of blighted conditions.

In the event the value of such real property being disposed of is less than the fair value, disposition requires the approval of the Mayor and City Council, and such approval may be given only following a duly noticed public hearing. The CRA may provide in any instrument of conveyance to a private purchaser or lessee that such purchaser or lessee is without power to sell, lease, or otherwise transfer the real property without the prior written consent of the Board until the purchaser or lessee has completed the construction of any or all improvements which he or she has obligated himself or herself to construct on the property.

Real property acquired by the CRA which, in accordance with the provisions of the community redevelopment plan, is to be transferred shall be transferred as rapidly as feasible in the public interest, consistent with carrying out the provisions of the community redevelopment plan, or such part or parts of the contract of plan as the CRA may determine, may be recorded in the land records of the clerk of the circuit court in a manner to afford actual or constructive notice.

#### ***Disposition Procedural Requirements***

Prior to disposition of any real property or interest in such property in a community redevelopment area, the CRA shall give public notice of disposition by publication in a newspaper having a general circulation in the community, at least 30 days prior to the execution of any contract to sell, lease, or otherwise transfer real property and, prior to the delivery of any instrument of conveyance with respect thereto under the provisions of Chapter 163, Part III, *Florida Statutes*. The CRA shall invite proposals from, and make all

## Section 12: Relocation Policy

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Under Chapter 163, Part III, *Florida Statutes*, the North Miami Beach Community Redevelopment Agency is required to adopt a policy statement assuring that there will be replacement housing provided for those persons displaced from their homes by community redevelopment activities initiated by the CRA. It is the Agency's goal and intent to increase and improve the housing stock in the redevelopment area. There are no redevelopment programs or initiatives contemplated by the CRA or the City of North Miami Beach at the time of this Plan's preparation and adoption designed to displace any residents from their home.

In the future, if any redevelopment project involving the CRA requires that even one person be involuntarily displaced from a residential unit, the project proposal must contain a relocation plan that adheres to all applicable laws. The City, County, and Agency must approve the relocation proposal in a publicly noticed meeting before any final approval of the project.

If any future projects were to require relocation and Agency monies were to be "partnered" with federal funds, the CRA shall make it a condition of Agency participation that all provisions of the Uniform Relocation Assistance and Real Property Acquisition Act are met. This strategy adheres to the requirements of Chapters 163 and 421, *Florida Statutes*.



Coordinate with Miami-Dade County Public School Board, Miami-Dade County, other municipalities of Northeast Miami Dade County, and the South Florida Regional Planning Council in order to develop alternative solutions to the projected public school siting needs included in the data and analysis. These alternative solutions should include utilization of existing vacant sites, encouraging collocation of schools with other public facilities, such as parks, libraries, and community centers, when feasible and mutually acceptable to both government entities, vacant office space, and addition of 2nd stories to existing schools, as well as other alternative solutions.

### **Transportation Element**

Transportation projects necessary to maintain the established level of service on local roads as programmed in the North Miami Beach Capital Improvements Plan and implemented as funding becomes available.

Participate in the Miami-Dade MPO's Transportation Development Plan (TDP) by providing recommendations and support for transit enhancements in North Miami Beach.

Contract for the operation of the North Miami Beach Circulator Bus Demonstration Project and evaluate its effectiveness annually based on performance criteria of daily boardings and cost per boarding.

Acquisition of distinctive alternatively fueled vehicles such as trolleys.

Utilize the ongoing sidewalk and bikeway improvement program to provide for safe pedestrian and bicycle travel on and off the roadways.

Maintain the Greenway Corridor and bicycle path along the Snake Creek Canal as a linear natural area consisting of environmentally sensitive lands and recreation opportunities and extend this corridor when funds and additional public land becomes available.

Implement improvements to the Greenway Corridor and existing bike path and construct additional linear paths to establish connectivity with various recreational areas within the City. The ultimate improvements will include the NE 183rd St./NE 10th Avenue/NE 167 St./Challenger Park-Amphitheatre/Martin Luther King-Washington Park Loop and the Monastery/Oleta State Park/Biscayne Boulevard/Highland Village Park Loop.

Use signage, enforcement, and other traffic calming techniques to minimize the impact of regional bypass traffic on local streets.

Support the implementation of the recommended improvements as described in the recently completed SR 826 Corridor Study.

Replacement of 2-inch mains with 8-inch mains to assure adequate pressure.

Accommodate an average daily flow of at least 85 gallons per person per day within the sanitary sewer collection system within the City. The County treatment and disposal system shall operate with a design capacity of 2 percent above the daily flow of the preceding year. Provide 150 gallons of potable water per person per day at a pressure of 40 pounds per square inch.

Extend sewer lines to existing dense development to correct deficiencies and conform to regional policies. Developers will pay extensions to vacant land. NOTE: Water lines serve existing development; the same vacant land extensions policy governs.

Revitalize deteriorating urban areas.

Give priority to development in areas that are blighted, characterized by underdevelopment or underemployment and are in need of redevelopment. Among these, secondary priority should be given to areas within which adequate infrastructure and support services are either programmed or available.

Enhance the economic competitiveness of the region and ensure the adequacy of its public facilities and services by eliminating the existing backlog, meeting the need for growth in a timely manner, improving the quality of services provided and pursuing cost-effectiveness and equitability in their production, delivery and financing.

Give priority to the construction, maintenance, or reconstruction of public facilities needed to serve existing development most effectively.

### **Coastal Management Element**

Continue the City's street drainage improvement projects in order to minimize pollution from stormwater run-off; take special care in reviewing drainage plans for private development projects located near waterways to assure that adequate on-site retention is provided.

Implementation of necessary actions, including but not limited to, repairing and replacing Utility owned water mains, water service laterals and pumping facilities to insure a sealed system, adequate disinfecting, and sufficient pressure to meet demands of fire flow and domestic water usage. Auxiliary pumps and generators will be used as required.

Repairing and replacing wastewater lines and pumping facilities to ensure a leak-proof system.

Replacement of structures and piping and required.

See funds for the acquisition and development of additional park land in that area of the City immediately east of NE 15th Avenue and south of NE 167Street.

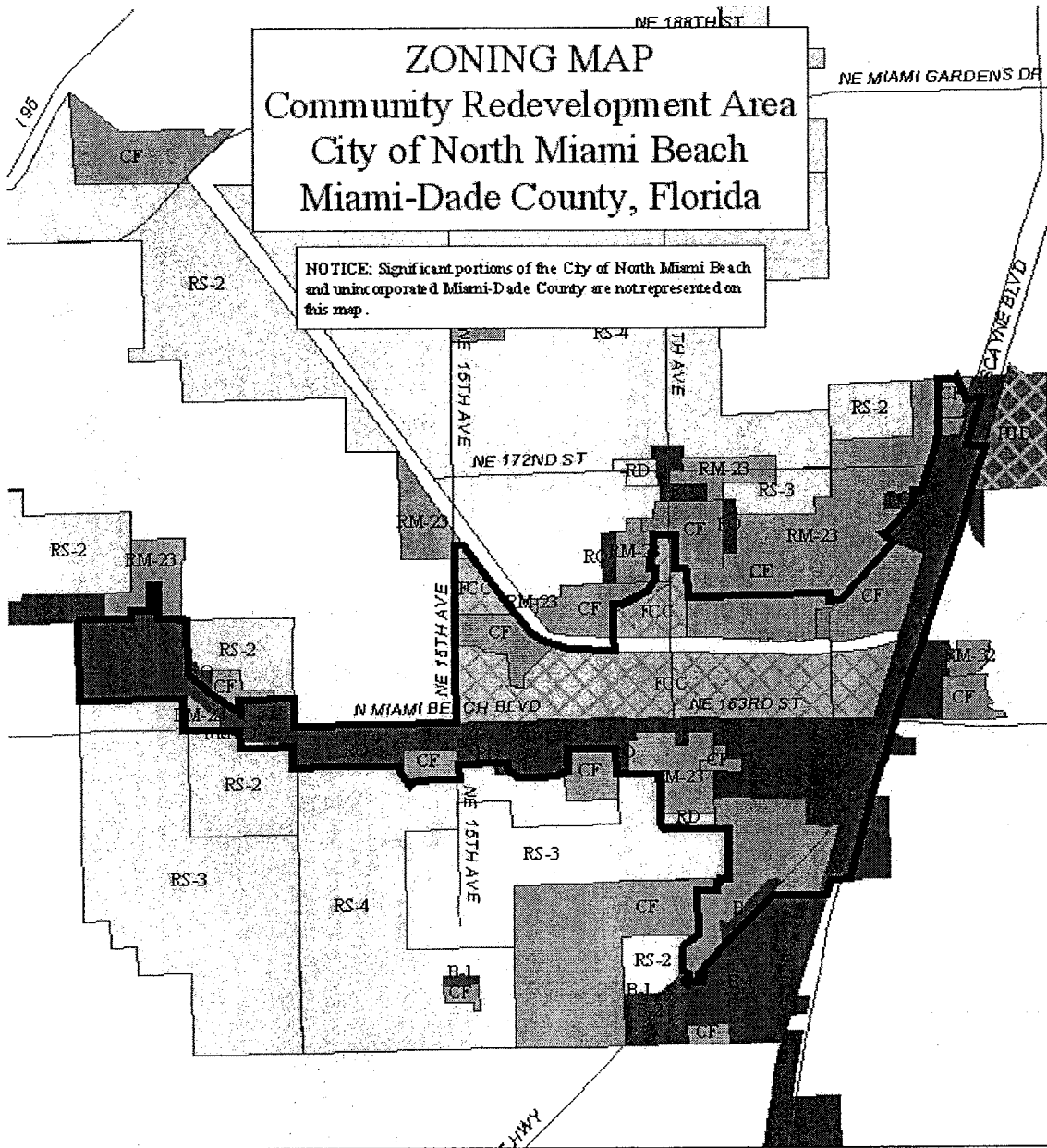
Maintain and expand the library and its services.

Make improvements in accordance with the City's Capital Improvement Program, including the exploration of grant funding sources for an expansion to be used for a children's library.

Upgrade signage as necessary for easy identification.

Remove any remaining physical barriers to handicapped individuals.

## Appendix “B” ZONING MAP



### Legend

## **Re-design Learning Area**

## ZONING

 Blackwell Science


**PUD**

6-1  
6-2

 F-2  
 F-3

F-4



 CF

 FCC


**FBI-23**  
**DO NOT WRITE IN THESE SPACES**

PA-32

<input type="checkbox"/>	FD
<input type="checkbox"/>	FD-1

FD-3




















 RD-5

**23H-1**

**NOTICE:** The is an unofficial ZONING map for the City of North Miami Beach. This map displays only the ZONING characteristics in and around the Redevelopment Area. Significant portions of the City of North Miami Beach are not represented on this map.

**CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT  
FOR A ZONING DETERMINATION AT (305) 948-2966.**

Map ID: 2004044  
Created by: Patrick Bratt Urban Analyst  
Created on: 13 Dec 2004  
Department of Administrative Services  
City of North Miami Beach

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**Appendix "D"**  
**TIF PROJECTION**

## Appendix D: TIF Projection

**TAX INCREMENT FINANCING PROJECTION**

*(assumes 0.95 contribution and 5.2% increase)*

**NORTH MIAMI BEACH CRA**

<b>TIF YEAR</b>	<b>FISCAL YEAR</b>	<b>TOTAL TAXABLE VALUE (1000s)</b>	<b>ANNUAL TIF</b>		
			<b>County</b>	<b>City</b>	<b>Total</b>
1	2004/05	\$242,065	\$67,771	\$86,255	\$154,026
2	2005/06	\$254,652	\$138,549	\$176,335	\$314,884
3	2006/07	\$267,894	\$213,273	\$271,439	\$484,712
4	2007/08	\$281,825	\$291,883	\$371,488	\$663,371
5	2008/09	\$296,480	\$374,581	\$476,739	\$851,320
6	2009/10	\$311,897	\$461,578	\$587,464	\$1,049,042
7	2010/11	\$328,115	\$553,100	\$703,946	\$1,257,046
8	2011/12	\$345,177	\$649,381	\$826,485	\$1,475,866
9	2012/03	\$363,126	\$750,669	\$955,396	\$1,706,065
10	2013/14	\$382,009	\$857,223	\$1,091,011	\$1,948,234
11	2014/15	\$401,874	\$969,318	\$1,233,677	\$2,202,995
12	2015/16	\$422,771	\$1,087,242	\$1,383,763	\$2,471,005
13	2016/17	\$444,755	\$1,211,298	\$1,541,653	\$2,752,951
14	2017/18	\$467,882	\$1,341,806	\$1,707,752	\$3,049,558
15	2018/19	\$492,212	\$1,479,099	\$1,882,490	\$3,361,589
16	2019/20	\$517,807	\$1,623,532	\$2,066,313	\$3,689,845
17	2020/21	\$544,733	\$1,775,475	\$2,259,696	\$4,035,171
18	2021/22	\$573,059	\$1,935,319	\$2,463,134	\$4,398,453
19	2022/23	\$602,858	\$2,103,475	\$2,677,151	\$4,780,626
20	2023/24	\$634,207	\$2,280,376	\$2,902,297	\$5,182,673
21	2024/25	\$667,186	\$2,466,475	\$3,139,150	\$5,605,625
22	2025/26	\$701,879	\$2,662,252	\$3,388,320	\$6,050,572
23	2026/27	\$738,377	\$2,868,208	\$3,650,447	\$6,518,655
24	2027/28	\$776,773	\$3,084,875	\$3,926,204	\$7,011,079
25	2028/29	\$817,165	\$3,312,808	\$4,216,301	\$7,529,109
26	2029/30	\$859,658	\$3,552,593	\$4,521,483	\$8,074,076
27	2030/31	\$904,360	\$3,804,848	\$4,842,534	\$8,647,382
28	2031/32	\$951,386	\$4,070,220	\$5,180,279	\$9,250,499
29	2032/33	\$1,000,859	\$4,349,391	\$5,535,588	\$9,884,979
30	2033/34	\$1,052,903	\$4,643,078	\$5,909,373	\$10,552,451

**TOTAL TIF, 30 YEARS\* \$124,953,859**

**Appendix "E"**  
**LEGAL DESCRIPTION OF THE COMMUNITY REDEVELOPMENT AREA**

Easterly along said Southerly line for 580 feet, more or less, to the Westerly right-of-way line of NE 16th Avenue; thence Southerly along said Westerly right-of-way line for 190 feet, more or less, to the Southerly right-of-way line of NE 161st Street; thence Easterly along said Southerly right-of-way line for 740 feet, more or less, to the Easterly right-of-way line of NE 17th Avenue; thence Northerly along said Easterly right-of-way line for 320 feet, more or less, to the Southerly right-of-way line of NE 162nd Street; thence Easterly along said Southerly right-of-way line for 580 feet, more or less, to the Westerly right-of-way line of NE 18th Avenue; thence Southerly along said Westerly right-of-way line for 320 feet, more or less, to the Southerly right-of-way line of NE 161st Street; thence Easterly along said Southerly right-of-way line for 495 feet, more or less, to the Westerly right-of-way line of NE 18th Place; thence Southerly along said Westerly right-of-way line for 674 feet, more or less, to the Southerly right-of-way line of NE 159th Street; thence Easterly along said Southerly right-of-way line for 825 feet, more or less, to a point being the Northwestern corner of Tract 'B' of PEOPLES GAS SUBDIVISION as recorded in Plat Book 142, Page 55; thence Southerly along the Westerly boundary line of said Tract 'B' for 638 feet, more or less; thence Westerly along the Southerly line of Block 1 of FULFORD HOMES as recorded in Plat Book 55, Page 55, for 99 feet, more or less, to the Northwest corner of Tract 'C' of said PEOPLES GAS SUBDIVISION Plat; thence Southerly along the Westerly line of said Tract 'C' for 40 feet; thence Westerly for 50 feet, more or less, to the Easterly shoreline of a lake; thence Southerly for 85 feet, more or less, to the Northerly line of Aqua Bowl Park; thence Westerly along the Northerly boundary line of said park for 235 feet, more or less, to the Northwestern corner of said park; thence Southerly along the Westerly boundary line of said park for 540 feet, more or less, to the Northeast corner of Block 1 of ECONOMY HOMESITES as recorded in Plat Book 44, Page 74; thence Southwesterly along the Northwesterly line of Lot 11 of said Block 1, and its Southwesterly projection line for 245 feet, more or less, to the Westerly right-of-way line of NE 19th Avenue; thence Southerly along said Westerly right-of-way line for 274 feet, more or less, to the Southwesterly right-of-way line of NE 154th Avenue; thence Southeasterly along said Southwesterly right-of-way line for 88 feet, more or less, to the Northwesterly right-of-way line of West Dixie Highway; thence Southwesterly along said Northwesterly right-of-way line for 90 feet, more or less; thence Southeasterly for 70 feet, more or less, to the Southeasterly right-of-way line of said West Dixie Highway; thence Northeasterly along said Southeasterly right-of-way line for 60 feet, more or less, to the Southerly right-of-way line of NE 154th Street; thence Easterly along said Southerly right-of-way line for 145 feet, more or less; thence Northerly for 70 feet to the Northerly right-of-way line of said NE 154th Street; thence Westerly along said Northerly right-of-way line for 75 feet, more or less, to the Southeasterly right-of-way line of said West Dixie Highway; thence Northeasterly along said Southeasterly right-of-way line for 1350 feet, more or less, to a point being the Northwesterly corner of Tract "A" of ADELE SUBDIVISION as recorded in Plat Book 126, Page 80; thence Easterly along the exterior Northerly line of said Tract "A" for 564 feet, more or less, to the Westerly right-of-way line of FEC Railroad; thence Northeasterly along said right-of-way line for 900 feet, more or less, to the Easterly projection of the Southerly right-of-way line of NE 159th Street; thence Easterly along said Easterly projection of the Southerly right-of-way line for 275 feet, more or less, to the Easterly right-of-way line of S.R. #5 as shown on Right-of-Way Map of said S.R. #5 Section 87030-2573, Sheet 3 of 7; thence Northeasterly along said Easterly right-of-way line for 400 feet, more or less, to the Northwesterly corner of Tract A of BELL

**Appendix "E"**  
**LEGAL DESCRIPTION OF THE COMMUNITY REDEVELOPMENT AREA**

way line of Canal C-9 for 2700 feet, more or less, to the centerline of NE 15th Avenue; thence Southerly along said centerline for 2690 feet, more or less, to the centerline of S.R. #826, as shown on Right-of-Way Map of said S.R. #826 Section 87510-2250, Sheet 4 of 5; thence Westerly along said centerline for 1980 feet, more or less, to the centerline of NE 12th Avenue; thence Northerly along said centerline for 357 feet, more or less, to the Northerly right-of-way line of NE 164th Street; thence Westerly along said Northerly right-of-way line for 686 feet, more or less, to the Westerly right-of-way line of NE 11th Avenue; thence Southerly along said Westerly right-of-way line for 130 feet, more or less, to the Northerly right-of-way line of said S.R. #826 as shown on said Right-of-Way Map; thence Northwesterly along said Northerly right-of-way line for 770 feet, more or less, to the Easterly right-of-way line of NE 10th Avenue; thence Northerly along said Easterly right-of-way line for 660 feet, more or less, to the Northerly right-of-way line of NE 167th Street; thence Westerly along said Northerly right-of-way line for 366 feet, more or less, to the Southwesterly corner of Tract 'C' of NEWLAN SUBDIVISION as recorded in Plat Book 71, Page 98; thence Northerly along the Westerly line of said Plat for 438 feet to a point; thence Westerly for 166 feet, more or less, to the Northeasterly corner of Tract A of S. L. & S. SUBDIVISION as recorded in Plat Book 98, Page 38; thence Southerly along the Easterly line of said Plat for 313 feet, more or less, to the Southeasterly corner of said Tract A; thence Westerly along the Southerly line of said Tract A and its Westerly projection for 246 feet, more or less, to the Westerly right-of-way line of NE 9th Avenue; thence Southerly along said Westerly right-of-way line for 85 feet, more or less, to the Northerly right-of-way line of NE 167th Avenue, the following two (2) courses as shown on said Right-of-Way Map of S.R. #826; (1) thence Westerly along said Northerly right-of-way line for 635 feet, more or less, to the centerline of NE 8th Avenue; (2) thence Southerly along said centerline for 40 feet to the Point of Beginning.

**City of North Miami Beach**  
**NORTH MIAMI BEACH CRA**  
**COMMUNITY REDEVELOPMENT PLAN**  
**Informational Supplement**

The purpose of this document is to provide clarification about how and where the programs contained in Section 6 of the North Miami Beach Community Redevelopment Plan (Plan) might be applied by the Community Redevelopment Agency (CRA) within the CRA area.

**Section I Overview**

The CRA area has a mixture of uses including retail/commercial, office, apartment buildings, condominiums, institutional, and recreational. Most of the buildings were constructed between 1950 and 1979. Most of the retail/commercial buildings, especially the small strip centers, have deteriorated and are outdated for today's market, much less for the future. Most of the residential buildings are in need of upgrades, are poorly designed, do not have adequate parking, or do not have sanitary sewer service, or some combination of those problems.

It is the intent of the City and the CRA to encourage and support a change in those conditions. A combination of property improvements, new construction, and public capital improvements are needed to reverse the conditions and help create the quality of life and economic vitality the community envisions.

The Plan is premised upon the following principles:

1. The land use in the CRA area will remain a mixture of commercial, office, residential, institutional and recreational uses.
2. Many of the properties in the CRA area are candidates for redevelopment during the life of the CRA. However, current or future property owners are not likely to redevelop the properties unless doing so is profitable. There likely will be a need for financial incentives from the CRA to make redevelopment profitable.
3. There will not be a "master developer". New development will consist of multiple, individual projects at a variety of locations throughout the Area.
4. New development projects will occur over time, rather than by a preset schedule. The CRA can help to make development happen sooner.



5. The City's Comprehensive Plan and the Zoning and Land Development Code will provide the development guidelines and use restrictions for all new development in the CRA area. However, the marketplace will determine the specific types and locations of the projects that actually get developed, subject to the City's development guidelines.
6. The CRA needs to be able to provide financial assistance to property owners that choose to improve their properties rather than to redevelop.
7. There will be no major changes to the existing street layout.
8. The design, condition and appearance of the streets need to be improved. It is crucial to have quality public space if the CRA area is to be attractive for private investment, business growth, and the residents.
9. Sanitary sewer service needs to be provided to those properties that do not now have it.
10. In order to offer a suitable residential environment, the recreational facilities must be protected and enhanced.

The overriding vision for this key center of the City is an identifiable "place" that encourages establishment of a wide mix of commercial and residential uses in functionally appropriate and architecturally pleasing structures. The CRA area will offer development to meet a variety of needs and be an environment that attracts both day and evening activities. It also will offer investment, business, shopping, dining, and residential opportunities for those of all ages, races, ethnicities and income levels.

The specific character of development within the CRA area will vary among the subareas depending upon the applicable zoning category. **Map 1** depicts the various zoning categories located within the Area.

The following is a summary of the characteristics of each zoning category:

#### FCC Fulford City Center

Provides for a mixed-use, "town center" urban environment with a pedestrian orientation. Buildings will be built to the property line without setbacks. Parking is to be located to the rear of the building. The buildings must be a minimum of two stories and a maximum of 15 stories. A mix of uses is encouraged for each building, including retail, restaurants, office and residential. Residential density is limited to 32 units per acre. Public streets will have wide sidewalks, landscaping, decorative lighting, paver style crosswalks and on-street parking.

#### B-1 Limited Business District

Provides for small-scale development of office, retail and service uses of a convenience nature to meet the needs of adjacent residential neighborhoods. Multi-family residential is also permitted. The development pattern is suburban with setback requirements and parking lots in the front. There is a two-story height limitation with the exception of residential, which has a six-story limit.

#### B-2 General Business District

As the general purpose commercial zoning category for the City, these areas provide for small, medium and large developments for retail/commercial and office uses that serve the needs of the community and region. The uses in the B-2 areas tend to be more highway dependent than the other zoning areas. Multi-family residential is also permitted as a conditional use. Maximum height is 15 stories.

#### B-4 Distribution Business and Light Industrial District

Provides for a variety of uses such as retail, services, office, wholesale and warehouse. Maximum building height is four stories. There are only three blocks in the CRA area that have this zoning designation, two of which contain an automobile dealership. The remaining block has a mixture of warehouse and automotive-related uses.

#### RO Residential Office District

Provides a low-density environment for single-family houses and office space in structures of single-family house character. Building height is limited to one story.

#### RD Residential Duplex District

Provides a low-density environment for single-family houses and residential duplexes. Maximum height is two and one-half stories.

#### RM-23 Residential Multi-Family District

Provides for development of apartment and condominium residential uses. Maximum height is six stories and maximum density is 23 units per acre.

#### CF Community Facility District

Provides for public and quasi-public uses.

The CRA area currently has four parks, a tennis complex, a library, a post office, a City public works facility, a natural gas utility, and the Spanish Monastery.

## **Section II Planned Projects and Redevelopment Initiatives**

This section provides examples of the planned projects and redevelopment initiatives that are anticipated to result from the Community Redevelopment Programs presented in Section 6 of the North Miami Beach Community Redevelopment Plan.

The planned projects and redevelopment initiatives discussed in this section are those that involve physical improvements and for which the location can be referenced on a map. The other redevelopment programs contained in the Plan that do not involve physical improvements or specific locations are listed in Section III.

Reference in the Plan for each program is indicated by the page number noted in parenthesis.

### **Development and Improvement Incentives**

The programs in this subsection are designed to directly stimulate and support private investment in new real estate development, property improvements, new businesses, increased business activity, and as a result thereof, eliminate and prevent blighting conditions. It is important to note that the CRA cannot compel current, future or prospective property owners to improve or redevelop their property. The strategy is to be able to offer financial incentives so that the current, future or prospective owner will conclude that the property improvements or redevelopment will be a sound business decision.

#### ***Direct Financial Incentives to Generate New Private Development (Pg. 35)***

At the time of the adoption of the Plan, there is no single, large development project proposed to serve as an economic catalyst. The Plan contemplates that new development will consist of multiple, individual projects at various locations throughout the CRA area. Identification of specific properties is not possible until such time that the current, future, or prospective owner proposes a development project.

Nonetheless, it is possible to identify which types of properties are more likely to provide a redevelopment opportunity. **Map 2** depicts the properties most likely to be redeveloped within the Area.

All of the properties included on the map fulfill one or more of the following criteria:

Vacant privately-owned land.

One-story building at low-density (floor area ratio).

Has been brought before the Miami-Dade County Unsafe Structures Board.

Has a vacant building on the property.

Located within one block of the new Super Wal-Mart and renovated Mall at 163<sup>rd</sup> Street complex.

An automotive dealership.

***Direct Financial Incentives to Stimulate Property Improvements (Pg. 36)***

***Interest Subsidies on Loans for Property Improvements (Pg. 36)***

As regards both of these property improvement programs, identification of specific properties to receive financial assistance from the CRA is not possible until such time that either the current or a future owner proposes an improvement project. However, virtually all privately owned properties in the CRA area are in need of some form of property improvements.

***Rehabilitation of Vacant Commercial Buildings (Pg. 36)***

Currently, there are only two privately owned buildings that are vacant. They are located at 1559 Hanford Boulevard (NE 164 Street) and 1610 Hanford Boulevard (NE 164 Street). It must be noted, however, that the inventory of vacant commercial buildings can change at any time.

***Land Banking and Site Assembly (Pg. 37)***

At the time of the adoption of the Plan, the CRA has not identified any specific properties for possible purchase. The purpose of this program is to enable the CRA to respond at such time that an owner offers to sell their property.

**Residential Reinvestment Programs**

***Residential Rehabilitation (Pg.38)***

Almost all residential properties in the CRA area are in need of improvement and are considered candidates for this program. The locations of residential properties in the CRA area are shown on **Map 3**. In that the CRA cannot compel participation, priority will be given to those owners that submit proposals to the CRA.

***In-Fill & New Housing (Pg. 38)***

The only privately owned vacant parcel at this time is located to the southwest of the intersection of NE 159 Street and West Dixie Highway. The CRA will be prepared to assist the development of this parcel as either entirely residential or mixed use that includes residential.

## **Infrastructure Improvements Programs**

### ***Street and Alley Improvements (Pg. 39)***

As part of the redevelopment program for the CRA area, the City is currently reconstructing Hanford Boulevard (NE 164 Street) from NE 15 Avenue to NE 23 Avenue and NE 19 Avenue between NE 163 Street and South Glades Drive. The total cost of the project is approximately \$8 million. The sources of funding include proceeds of a City general obligation bond issue named Proud Neighborhoods, revenue received from the half-percent sales Transportation Surtax, and the proceeds of a revenue bond issue supported by the half-percent sales Transportation Surtax.

The City is also reconstructing the streets in the area bounded by NE 18 and 21 Avenues, and NE 159 and 163 Streets, a predominately multi-family residential area known as Corona Del Mar. The total cost is \$1.3 million. The source of funding is a City general obligation bond issue named Proud Neighborhoods.

In addition, the City will be reconstructing NE 162 Street between NE 17 and 18 Avenues. The source of funding is a City general obligation bond issue named Proud Neighborhoods.

The CRA proposes to augment the street improvements identified above by funding the improvement of the following streets in the CRA area:

- NE 16, 17, 18, 20 and 21 Avenues, between NE 163 Street and South Glades Drive.
- NE 162 Street between NE 12 and NE 16 Avenue.
- NE 167 Street between NE 18 and 19 Avenues.

**Map No. 4** shows the location of the various street improvements planned for the CRA area, including those funded by the City's Proud Neighborhoods general obligation bond, the City's Transportation Surtax revenue bond, and the CRA.

### ***Stormwater Drainage Improvements (Pg. 39)***

There are several streets in the CRA area that flood during rainstorms. In most cases, the ponding remains for days after the storm. Furthermore, many individual properties in the anticipated rebuilt urban environment will not be able to retain rainwater on site. This will seriously limit the potential for new development.

The City currently is addressing some of those problems using available funding. Examples include the reconstruction of Hanford Boulevard (funded by a City revenue

bond) and improvements at the intersection of West Dixie Highway and NE 170 Street (funded by a City general obligation bond). However, the larger issue of how to manage stormwater runoff from private property remains unanswered.

There is a need for a comprehensive assessment of how stormwater runoff from both the public rights-of-way and private property will be handled. The most likely solution is a master drainage system that can accommodate stormwater from both the public right-of-way and private property.

**Map No. 5** shows the current improvement projects as well as the areas for which a comprehensive assessment is needed of how stormwater runoff from both the public rights-of-way and private property will be handled.

#### ***Sanitary Sewer Installations*** (Pg. 40)

**Map No. 6** shows the location of properties in the CRA that do not have sanitary sewer service. The CRA will pursue the necessary arrangements to have sewers installed and connections provided in these areas. However, most of the properties are within the Miami-Dade County sewer service area and thus, extensive coordination with the County will be needed. Furthermore, due to the high cost of sewer expansion, the actual construction will not be possible until it is feasible to issue bonds backed by the tax increment revenues.

#### ***Water System Upgrades*** (Pg. 40)

Increases in potable water capacity will be needed as redevelopment to higher densities occurs. An additional water storage tank also will be needed. However, specific locations cannot be identified until new private development projects are proposed.

#### ***Parking Facilities*** (Pg. 40)

The CRA has placed a high priority on the development of public parking facilities in the CRA area. The CRA intends to identify appropriate locations for purchase as quickly as possible.

#### **Charter Schools** (Pg. 42)

The City Council and CRA have identified Taylor Park, located along West Dixie Highway at NE 154 Street, as the most appropriate site for a new charter school. The location of Taylor Park is shown on the map of recreation facilities, **Map 7**.

#### **Recreation Facilities** (Pg. 42)

**Map 7** shows the location of recreational facilities in the CRA area, including Mishcon Field, Challenger Park, Snake Creek Linear Park, Silverman Park, Taylor Park, and the Snyder Tennis Center. Also shown are the proposed Miami Drive Linear Park and the

South Glades Bikepath extension that will connect to a future bikepath proposed to be funded by the Florida Department of Transportation leading to the Oleta River State Park.

### **Section III Areawide Programs**

The following programs are those listed in the NMB Community Redevelopment Plan that do not involve physical improvements or specific locations. Rather, they are applicable on an areawide basis. They appear in the Plan at the page number noted in parenthesis.

*Financial Incentives for New Businesses (Pg. 36)*

*Marketing Research (Pg. 37)*

*Advertisement and Promotions (Pg. 37)*

*Business and Developer Recruitment (Pg. 37)*

*Relocation Assistance (Pg. 38)*

*Signage/Entry Features/Public Art/Landscape (Pg. 38)*

*Homeowner Reinvestment Grant (Pg. 38)*

*Mortgage Subsidies and Second Mortgage Assistance (Pg. 39)*

*Environmental Improvements (Pg. 40)*

*Air Rights (Pg. 41)*

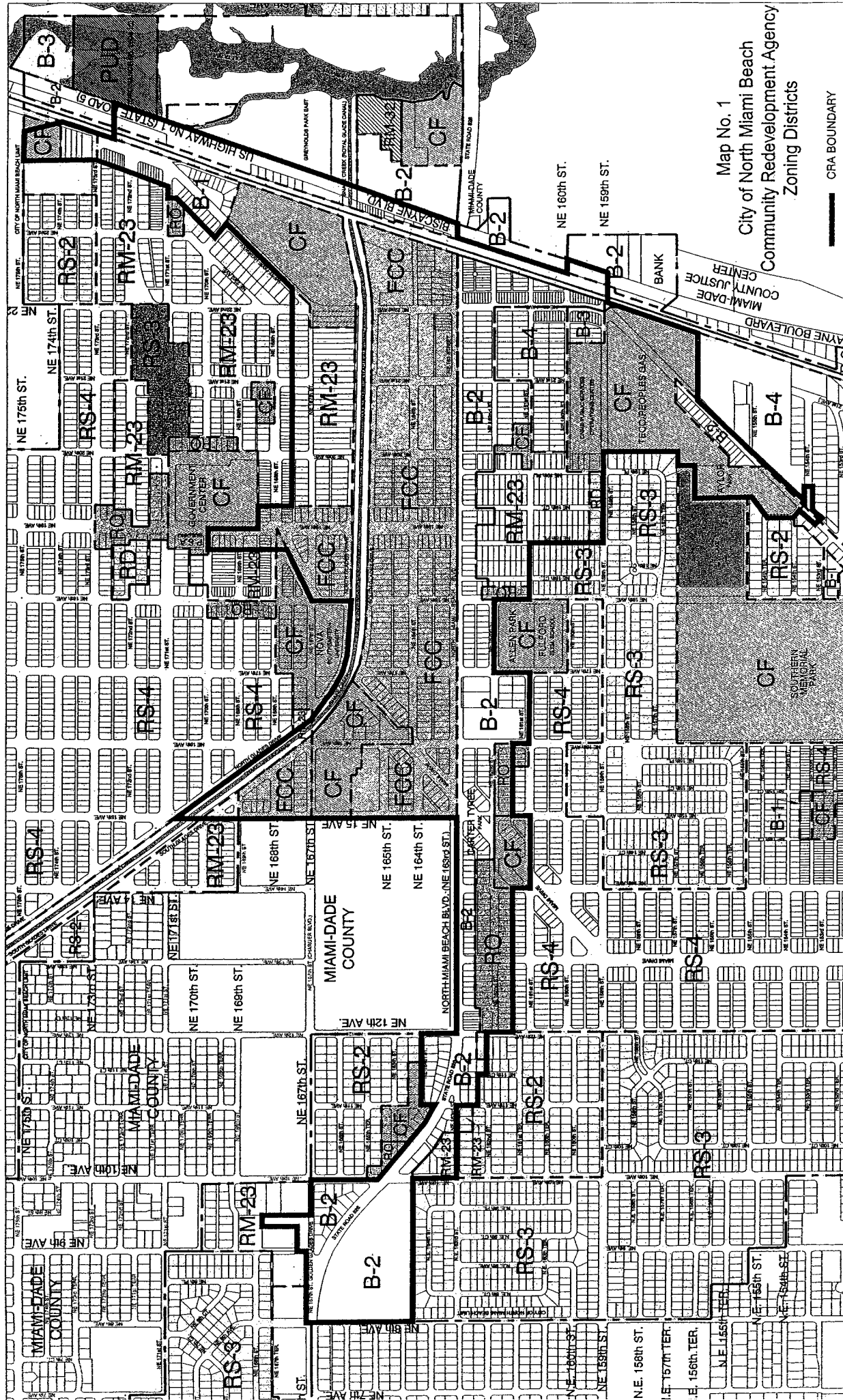
*Matching Funds for Grants (Pg. 41)*

*Code Enforcement (Pg. 41)*

*Community Policing Innovations (Pg. 41)*

*Management and Administrative Activities (Pg. 42)*

*Consultant Services (Pg. 42)*






Map No. 1  
City of North Miami Beach  
Community Redevelopment Agency  
Zoning Districts  
CRA BOUNDARY



Map #2  
City of North Miami Beach  
Community Redevelopment Agency  
Redevelopment Opportunities



Legend

	Community Redevelopment Area
	Large Scale Opportunities
	Redevelopment Opportunities

MapID: 2003C20  
Created on: 28 Feb 2003

Map #3  
City of North Miami Beach  
Community Redevelopment Agency  
Residential Areas

Legend

	Community Redevelopment Area
	Residential Areas

MapID: 2005015  
Created on: 28 Feb 2005



Map #4  
City of North Miami Beach  
Community Redevelopment Agency  
Improvement Projects: Streets

- Legend
- Community Redevelopment Area
  - Improvement Projects: Streets with funding source
  - CRA
  - Proud Neighborhoods Bonds
  - Transportation Surtax Bond

MapID: 2005018  
Created on: 28 Feb 2005

Map #5  
City of North Miami Beach  
Community Redevelopment Agency  
Drainage Study Area

Legend

	Community Redevelopment Area
	Drainage Study Area

MapID: 2005019  
Created on: 28 Feb 2005



Map #6  
City of North Miami Beach  
Community Redevelopment Agency  
No Sanitary Sewer

Legend  
☐ Community Redevelopment Area  
☐ No Sanitary Sewer

MapID: 2005017  
Created on: 28 Feb 2005

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### Legend

Community Redevelopment Area  
Recreation Facilities  
Proposed Miami Drive Linear Park  
Proposed Bike Path Extension to Oleta State Park

[illegible]



ADA Coordination  
Agenda Coordination  
Art in Public Places  
Audit and Management Services  
Aviation  
Building Code Compliance  
Building  
Business Development  
Capital Improvements  
Citizen's Independent Transportation Trust  
Communications  
Community Action Agency  
Community & Economic Development  
Community Relations  
Consumer Services  
Corrections & Rehabilitation  
Countywide Healthcare Planning  
Cultural Affairs  
Elections  
Emergency Management  
Employee Relations  
Enterprise Technology Services  
Environmental Resources Management  
Fair Employment Practices  
Finance  
Fire Rescue  
General Services Administration  
Historic Preservation  
Homeless Trust  
Housing Agency  
Housing Finance Authority  
Human Services  
Independent Review Panel  
International Trade Consortium  
Juvenile Assessment Center  
Medical Examiner  
Metropolitan Planning Organization  
Park and Recreation  
Planning and Zoning  
Police  
Procurement  
Property Appraiser  
Public Library System  
Public Works  
Safe Neighborhood Parks  
Seaport  
Solid Waste Management  
Strategic Business Management  
Team Metro  
Transit  
Urban Revitalization Task Force  
Vizcaya Museum and Gardens  
Water and Sewer

January 27, 2005

Gary Brown  
City Manager  
City of North Miami Beach  
17011 N.E. 19<sup>th</sup> Avenue  
North Miami Beach, Florida 33162

Re: City of North Miami Beach Community Redevelopment Plan

Dear Mr. Brown:

This letter serves to convey our understanding of various issues we discussed last week regarding the City of North Miami Beach's proposed Community Redevelopment Agency (CRA) redevelopment plan. You requested our comments on a draft redevelopment plan that was delivered to us around year-end 2004. Subject to review and further comments from the TIF Committee meeting that is scheduled for February 7, the following points provide the County's guidance as per the meeting that was held on January 19, 2005. Please note that there are several items that should be brought back to us expeditiously to ensure that the plans can be reviewed during our February 7<sup>th</sup> TIF Committee meeting.

- Please make the City Commissioners aware that the Board of County Commissioners will make the final determination regarding any requested CRA governance structure. In that context, please consider the possible expansion of the CRA board to up to nine (9) members and/or the creation of an advisory Board to include experts, stakeholders, or County representation.
- The delegation of powers from the County to the CRA will not include the delegation of eminent domain powers. In order for the City's CRA to have these limited powers, the CRA plan will have to be amended to include an element for land acquisition. Each parcel that is being targeted for acquisition must be described with an explanation as to the public purpose in addition to a detailed description.
- The plan must be clear that final authority to use any power of eminent domain will rest with the County. This will apply not only to the powers section, but also to sections such as the Land Acquisition and Disposition Policy sections, and the programs section on Land Banking and Site Assembly.

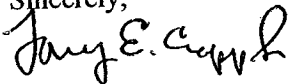
Delivering Excellence Every Day

- Community Policing: The proposed program needs to be more specifically described. Please make sure that the implementation of such a program will require an incremental approach, such that benchmarks with regards to the current police presence/budget vs. the future police presence are established and budgeted. Also please provide the goals for crime reduction utilizing the CRA dollars. County Staff should be able to identify these benchmarks and review them to ensure success.
- Project specific administrative costs are not included within the 20% administrative cap that will be stipulated in the interlocal agreement, but included in the projects.
- There is presently a County administration fee charged to each CRA for monitoring and project oversight. This expense must be included in the CRA's annual budget.
- Please be sure the Children's Trust Exemption is noted in the plan.
- Please include 30-year TIF projections along with detailed assumptions that clearly show the respective City and County contributions.
- The plan should indicate that the power to issue bonds is not delegated to the CRA, and that each request by the CRA to issue bonds will require County Commission approval.

It is anticipated that the County's Tax Increment and Financing Committee will review the City's CRA plan on February 7, 2005. The plan will travel on a "dual track" at the County. The first reading at the County Commission will be in March while it simultaneously is presented to Community Empowerment and Economic Revitalization Committee of the Board of County Commissioners. If necessary, County staff will be available for a meeting regarding the development of a further consensus with respect to an interlocal agreement.

I trust that you will find that this letter is consistent with your notes from our meeting. We look forward to working with you in this redevelopment effort for the City of North Miami Beach.

Sincerely,



Tony E. Crapp, Sr.  
Assistant County Manager

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## INTERLOCAL COOPERATION AGREEMENT

THIS INTERLOCAL COOPERATION AGREEMENT (the "Agreement"), made this \_\_\_\_\_ day of \_\_\_\_\_, by and between Miami-Dade County, Florida, a political subdivision of the State of Florida (the "County"), the City of North Miami Beach, Florida, a municipal corporation under the laws of the State of Florida (the "City") and the North Miami Beach Community Redevelopment Agency, or its successor, a public body corporate and politic (the "Agency").

WHEREAS, the Mayor and City Council adopted Resolution No. 2004-57 on September 14, 2004, providing a Finding of Necessity declaring that a blighted area, as defined in Section 163.340, Florida Statutes, exists within the City's boundaries; and

WHEREAS, the Mayor and City Council further declared in Resolution No. 2004-57 that the rehabilitation, conservation, redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City of North Miami Beach; and

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida (the "Board") adopted Resolution R-1345-04 on November 30, 2004, which, among other things, declared that a slum or blighted area existed in a geographic area, more particularly described in Exhibit "1" (the "Redevelopment Area"), determined that it was necessary to redevelop such Redevelopment Area in accordance with the provisions of Part III of Chapter 163, Florida Statutes (the "Act"), and delegated to the City Commission of the City of North Miami Beach, Florida (the "City Commission") the authority to exercise the redevelopment powers conferred upon the Board within the Redevelopment Area in accordance with the Act to enable the City Commission to declare the need-for, create and delegate powers to a community redevelopment agency and to initiate, prepare and adopt a plan of redevelopment for final approval by the Board; and

WHEREAS, the City Commission, pursuant to Resolution R2004-86 adopted on December 21, 2004, accepted a delegation of powers from the Board, found a need for and created the Agency, declared the members of the City Commission to be the members of the Agency, granted the Agency the power to exercise all powers permitted by the Act which were delegated by the Board to the Agency and directed the initiation, preparation and adoption of a community redevelopment plan by the Agency; and

WHEREAS, the Mayor and City Council adopted on February 1, 2005, resolution R2005-05 giving final approval to the community redevelopment agency's community redevelopment plan; and

WHEREAS, pursuant to Resolution \_\_\_\_\_ adopted on \_\_\_\_\_, the Board has approved the North Miami Beach Community Redevelopment Plan (the "Plan") to enable the City to undertake redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to Ordinance \_\_\_\_\_ adopted on \_\_\_\_\_, the Board has approved the creation of a community redevelopment trust fund known as the North Miami Beach Community Redevelopment and Revitalization Trust Fund (the "Fund") which provides for the calculation and appropriation of tax increment funds; and

WHEREAS, the boundaries identified for the Redevelopment Area are within the corporate limits of the City; and

WHEREAS, the City played the major role in the preparation of the Plan; and

WHEREAS, the County, the City and the Agency desire to delineate their areas of responsibility with respect to the redevelopment of the Redevelopment Area.

WITNESSETH, that for and in consideration of the mutual covenants and agreements contained herein, the County, the City and the Agency agree as follows:

I. Delegation of Powers

A. With the exception of the community redevelopment powers that continue to vest in the Board pursuant to Section 163.358, Florida Statutes the Board hereby delegates to the City Commission, acting either directly or through the Agency, the sole right and responsibility to exercise only the following specifically delineated redevelopment powers:

(1) The power to make and execute contracts and other instruments necessary or convenient to the exercise of its powers pursuant to the Act.

(2) The power to disseminate slum clearance and community redevelopment information.

(3) The power to undertake and carry out community redevelopment and related activities within the Redevelopment Area, which redevelopment may include:

- (a) Acquisition of a slum area or a blighted area or portion thereof;
- (b) Demolition and removal of buildings and improvements,
- (c) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the Redevelopment Area the community redevelopment objectives of the Act in accordance with the Plan;
- (d) The power to dispose of any property acquired in the Redevelopment Area at its fair value for uses in accordance with the Plan;
- (e) The power to carry out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the Plan;
- (f) The power to acquire real property in the Redevelopment Area which, under the Plan, is to be repaired or rehabilitated for the dwelling use or related facilities, repair or rehabilitation of tile structures for guidance purposes, and resale of the property;
- (g) The power to acquire any other real property in the Redevelopment Area when necessary - to eliminate unhealthful, unsanitary, or unsafe conditions; lessen density; eliminate obsolete or other-uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public facilities;

- (h) The power to acquire without regard to any requirement that the area be a slum or blighted area, air rights in an area consisting principally of land in highways, railway or subway tracks, bridge or tunnel entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences and for the provision of housing (and related facilities and uses) designed specifically for, and limited to, families and individuals of low or moderate income;
  - (i) The power to construct foundations and platforms necessary for the provision of air rights sites of housing (and related facilities and uses) designed specifically for and limited to, families and individuals of low or moderate income.
- (4) The power to provide, or to arrange or contract for, the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities, or other facilities for or in connection with a community redevelopment; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements; and to agree to any conditions that it deems reasonable and appropriate which are attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of a community redevelopment and related activities, and to include in any contract let in connection with such redevelopment and related activities provisions to fulfill such of the conditions as it deems reasonable and appropriate
- (5) Within the Redevelopment Area:
- (a) The power to enter into any building or property in the Redevelopment Area in order to make inspections, surveys, appraisals, soundings, or test borings and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted;
  - (b) The power to acquire by purchase, lease, option, gift, grant, bequest, devise, or otherwise any real property (or personal property for its administrative purposes), together with any improvements thereon, except that the County shall continue to retain all powers with respect to the use of eminent domain;
  - (c) The power to hold, improve, clear, or prepare for redevelopment any such property;
  - (d) The power to mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property;

- (e) The power to insure or provide for the insurance of any real or personal property or operations of the City against any risks or hazards, including the power to pay premiums on any such insurance;
- (f) The power to enter into any contracts necessary to effectuate the purposes of the Act;
- (g) The power to solicit requests for proposals for redevelopment of parcels of real property contemplated by the Plan to be acquired for redevelopment purposes by the Agency and, as a result of such requests for proposals, to advertise for the disposition of such real property to private persons pursuant to Section 163.380, Florida Statutes, prior to acquisition of such real property by the Agency; and

(6) The power to invest any community redevelopment funds held in reserves or sinking funds or any such funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control and to redeem such bonds as have been issued pursuant to Section 163.385, Florida Statutes, at the redemption price established therein or to purchase such bonds at less than the redemption price, all such bonds so redeemed or purchased to be cancelled.

(7) The power to borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the Federal Government or the state, county, or other public body or from any sources, public or private, for the purposes of the Act, and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; and to include in any contract for financial assistance with the Federal Government for or with respect to community redevelopment and related activities such conditions imposed pursuant to federal laws as the County and/or the City deems reasonable and appropriate which are not inconsistent with the purposes of the Act.

(8) Within its area of operation, the power to make or have made all surveys and plans necessary to the carrying out of the purposes of the Act; to contract with any person, public or private, in making and carrying out such plans; and to adopt or approve, modify, and amend such plans, which plans may include, but are not limited to:

- (a) Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;
- (b) Plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the

compulsory repair, rehabilitation, demolition, or removal' of buildings and improvements;

- (c) Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of community redevelopment and related activities.

(9) The power to develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of slums and urban blight and developing and demonstrating new or improved means of providing housing for families and persons of low income.

(10) The power to apply for, accept, and utilize grants of funds from the Federal Government for such purposes.

(11) The power to prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, nonprofit organizations, and others) displaced from the Redevelopment Area and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the Federal Government.

(12) The power to appropriate such funds and make such expenditures as are necessary to carry out the purposes of the Act subject to the County's, review and approval of the Agency's annual budget or any requested budget amendments, to zone or rezone any part of the City or make exceptions from building regulations pursuant to applicable law; and to enter into agreements with a housing authority, which agreements may extend over any period, notwithstanding any provision or rule of law to the contrary, respecting action to be taken by the City pursuant to any of the powers granted by the Act.

(13) The power to close, vacate, plan, or replan streets, roads, sidewalks, ways, or other places and to plan or replan any part of the City.

(14) Within its area of operation, the power to organize, coordinate, and direct the administration of the provisions of the Act as they may apply to the City, in order that the objective of remedying slum and blighted areas and preventing the causes thereof within the City may be most effectively promoted and achieved and to establish such new office or offices of the City or to reorganize existing, offices in order to carry out such purpose most effectively.

(15) The power to exercise all or any part or combination of powers herein granted or to elect to have such powers exercised by the Agency.

B. All powers not specifically listed in this section I(A) are reserved to the Board, including, but not limited to the power to issue bonds pledging TIF revenues, the power to use eminent domain to acquire properties, the power to implement community policing programs, and the power to change the composition of the CRA Board.

## II. Implementation of the Plan

A. The Redevelopment powers listed in Section I. herein may be exercised only with respect to the Area and only with respect to the Plan as adopted by the Agency, adopted by the City Commission and approved by the Board, together with any supplements or amendments to the Plan, provided that any amendments and supplements to the Plan must also be approved by the Board. The City and the Agency hereby expressly agree that the Plan as approved by the Board pursuant to \_\_\_\_\_ is for a period of ten (10) years.

B. No more than twenty percent (20%) of the funds contemplated to be expended under the Plan shall be used for total administrative expenses allowable under Section 163.387(6)(a), Florida Statutes. No more than six percent (6%) of the funds contemplated to be spent under the Plan shall be allocated to indirect and overhead expenses as those terms are generally understood. The County shall charge, and the Agency shall pay, to the County an annual administrative fee ("County Administrative Fee"). The fee shall be based on a percentage of the County's TIF payment to the agency and shall be determined annually by the County. The percentage charged by the County shall be the same for all CRAs within the County. The County administrative fee shall not be included in the (20%) limit on administrative expenses defined in this section.

C. The City shall, either directly or through the Agency, ensure that the staff of the Agency be racially and ethnically diverse, all in accordance with applicable law.

## III. City/County Coordination

A. The County Manager shall designate a Redevelopment Area Coordinator (the "Redevelopment Area Coordinator"). The Redevelopment Area Coordinator shall serve as the County's liaison to the City and the Agency for the Redevelopment Area. The Redevelopment Area Coordinator shall carry out the day-to-day County responsibilities for the Redevelopment Area and shall be the designated person to receive all data and reports pertaining to the Plan.

B. The City, either directly or through the Agency, shall be responsible for implementing and conforming to the Plan. The City's responsibilities with respect to implementation of the plan (acting either directly or through the Agency), shall include developing and implementing proposals for indebtedness and bond financing (subject to County approval, which approval the County may grant or deny in its sole and absolute discretion and the limitations contained herein), acquisition, disposition and relocation activities, eminent domain activities (subject to County approval which approval the County may grant or deny in its sole and absolute discretion and the limitations contained herein), coordination and implementation of the design and construction of public improvements necessary to support the redevelopment of the Redevelopment Area, and such other projects and activities as are contemplated by the Plan. The City, either directly or through the Agency, shall deliver copies of all accepted proposals for the Redevelopment Area to the Redevelopment Area Coordinator. All CRA projects and proposals must be identified and budgeted for in the annual plan and budget, which remains subject to County approval. Justification as to how each new project and proposals conform with the Goals and elements contained in the plan shall be provided to County staff upon request.

C. The Redevelopment Area Coordinator shall submit all proposals related to amendments to the Plan and proposals for indebtedness and bond financing to the

County Manager's Tax increment Financing and Coordinating Committee (the "TIFC Committee"), which Committee shall review and make recommendations to the County Manager on modifications and amendments to the Plan and all proposals for indebtedness and bond financing for the Redevelopment Area. The Redevelopment Area Coordinator shall review all proposals prior to review by the TIFC Committee and the Board.

D. An annual budget and a separate report of activities for the preceding year shall be submitted to the County not later than forty (45) days prior to the beginning of each County fiscal year in a format approved by the County. The format shall contain provisions for descriptions and justifications for both annual and multi-year project costs and require explanations and justifications for all inter-agency or intergovernmental charge or allocations. In the event that changes in the millage rates require modification of the submitted budget, such budget shall be submitted on or before the 15<sup>th</sup> day of the fiscal year. The annual budget for the Agency and the Redevelopment Area shall be adopted by the Agency and City prior to review and approval by the Board. With the exception of the debt service payment on existing bond obligations financed by tax increment revenues, no finds on deposit in the Fund may be expended by the City Commission or the Agency, as the case may be, until the annual budget has been approved by the Board. The TIFC Committee shall initially review the budget and submit recommendations to the County Manager for review and to the Board for final approval. At the request of the County, the City or the Agency shall submit additional progress reports on the Plan and Redevelopment Area activities

E. Once the Board approves and adopts any amendments and modifications to the Plan, such amendments and modifications shall become a part of the Plan and the powers delegated to the City Commission pursuant to this Agreement, shall be exercisable either directly or through the Agency, with respect to such amendments and modifications.

#### IV. Land Disposition

A. Any disposition of land for the Redevelopment Area shall be accomplished in accordance with applicable provisions of federal, state and local law, established City guidelines, the Plan and this Agreement pursuant to the Act.

#### V. Other Redevelopment Area Activity

A. The City, either directly or through the Agency, shall be responsible for the administration and funding of all relocation activities. Six months prior to the commencement of redevelopment activities which may result in the displacement of persons, the City, either directly or through the Agency, shall establish residential relocation procedures for the relocation of such persons (the "Local Relocation Procedures") and shall submit such Local Relocation Procedures to the Board for review and approval. In addition to any applicable federal, State or local law, the Local Relocation Procedures shall apply in all relocation cases within the Redevelopment Area, provided, however, if federal funds are received by the City, either directly or through the Agency, for a project which requires residential relocation, the City, either directly through the Agency, shall follow the relocation procedures set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 United States Code, Chapter 61, Section 4601, et seq. and Section

104 (d) of the Housing and Community Development Act of 1974, and as such may be amended. The City, and or Agency, may contract with County agencies to assist in residential relocation.

B. The City, either directly or through the Agency, shall cause an annual report of activities for the preceding fiscal year, which report shall include a complete financial statement setting forth its assets, liabilities, income and operating expenses as of the end of such fiscal year to be filed with the County on, or before March 31 of each year. Also, the City, either directly, or through the agency, shall cause an independent audit by a Certified Public Accounting firm to be performed on an annual basis, of a copy of which is to be forwarded to the Board by the first of March of the following year. The preceding requirements must conform, or be compliant with, Sections 163.356 (c), and 163.387 (8) Florida Statutes and any reporting request subsequently made by the Controller General of the State of Florida.

C. All redevelopment activities conducted with respect to the Redevelopment Area shall be in conformance with the Plan as the same may be amended. Any amendments to the Plan as required by Section 163.361, Florida Statutes, must have prior approval of the Board before the City, either directly or through the Agency, may implement the change contemplated by the amendments. Once approved, however, the City, either directly or through the Agency, may implement the amendments thereto.

D. The City or the Agency, as the case may be shall include language in any loan agreement, grant agreement or other agreements or contracts entered into between the City or the Agency and business involved in the redevelopment effort of the Redevelopment Area which states that, as a condition to the business' receipt of monies or incentives from the City or the Agency, any new jobs created as a result of the redevelopment shall be awarded so that such group of employees are a racially and ethnically-diverse group, all in accordance with applicable law.

#### VI. Project Financing

A. The City, either directly or through the Agency, shall establish and maintain the Fund, as required by applicable law. Both the City and the County shall deposit annually into the Fund an amount equal to \_\_\_\_\_ % of the increment from ad valorem taxes collected within the Redevelopment Area pursuant to Section 163.387 (1)(b), Florida Statutes, Ordinance No. \_\_\_\_\_ enacted by the Board on \_\_\_\_\_ and other provisions of applicable law.

B. The City, either directly or through the Agency, shall develop and promulgate rules, regulations and criteria whereby the Fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the City may, either directly or through the Agency, expeditiously and without undue delay, utilize such finds in accordance with the Board approved budget for the Redevelopment Area.

C. The City, either directly or through the Agency, shall select financial and legal consultants as necessary to assist in the preparation of the tax increment financing plans. The City and the Agency shall encourage the participation of and utilize small and minority businesses, specifically with respect to bond counsel, underwriters' counsel and underwriting services, in the development of the Redevelopment Area.



D. The City, either directly or through the Agency, after County approval may sell bonds and execute notes and other forms of indebtedness, as well as collateral documents, to finance capital improvements deemed necessary for the Redevelopment Area; **however, County approval as to amount, duration and purpose of such bonds, notes or other indebtedness, including advances pledging or obligating tax increment revenues, must be obtained prior to issuance of any such bond, note or other form of indebtedness including advances pledging or obligating tax increment revenues.** The County's obligation to annually appropriate to the Fund shall continue until all loans, advances a indebtedness, if any, and interest thereon, of the Agency incurred as a result of redevelopment in the CRA, have been paid, or for as long as required by applicable law, whichever is later. In no year shall the County's obligation to the Fund exceed the amount of that year's tax increment as determined pursuant to Ordinance No \_\_\_\_\_. On the last day of the fiscal year of the Agency, any money which remains in the Fund after payment of expenses pursuant to Section 163.387(6), Florida Statutes, for such year shall be: (1) returned to each taxing which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the Fund by all taxing authorities within the Redevelopment Area for that year; (2) used to reduce the amount of any indebtedness to which increment revenues are pledged; (3) deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged; or (4) appropriated to a specific redevelopment project pursuant to the approved Plan which project will be completed within three (3) years from the date of such appropriation.

E. The City voluntarily exempts The Children's Trust and the County Fire and Rescue District and from any contribution to the Community Redevelopment Trust Fund.

F. County approval of the Agency's annual budget is required prior to any expenditure by the Agency of any funds contributed by either the City or the County to its Community Redevelopment Trust Fund, excepting the payment of debt service payments to which the Agency has pledged its Tax Increment Financing revenues. Absent County approval of the annual budget all required Agency costs, excluding debt service, shall be funded through advances by the City and not from Tax Increment revenues deposited in the Community Redevelopment Trust Fund.

G. The City and the Agency hereby expressly agree that the delegation of powers to implement the Plan as approved by the Board pursuant to Resolution \_\_\_\_\_ is for a ten (10) year period. The City of North Miami Beach CRA shall continue to be delegated the powers to implement the Plan and shall receive Tax Increment Revenues from the County for no more than ten (10) years, unless either 1) within by the end of the fifth operating and fiscal year of the Agency, the County approves a Bond issue by the Agency, or an amendment to the Plan that further delineates purposes of, and demonstrates the need for long-term financing through bonds or notes that require a pledge of TIF revenues, or 2) by the end of the tenth year operating and fiscal year, absent a Bond issue, the County, upon the demonstration by the Agency that sufficient progress has been made towards the Agency's goals without having achieved its measurable goals, approves a progress report and plan update setting forth specific goals and strategies for a further period, and therewith an extension of the commitment of Tax Increment Revenues, for a period that shall not exceed ten (10) additional years. If (1) herein occurs, the delegation of powers to implement the Plan, the Plan, and the County's pledge of Tax Increment Revenues shall be extended for so long

as bonds or notes referenced herein are outstanding, but in no event longer than for thirty (30) years from the date of this agreement.

VII. Citizen Participation

To carry out an effective and inclusive citizen participation process, the City, either directly or through the Agency, shall utilize community groups and seek community involvement and consider citizen input in the development of Redevelopment Area activities.

VIII. Project Management, Administration and Coordination

A. The City and/or the Agency shall cooperate with the County on any reasonable request of the County with respect to implementing any plan of action related to the Plan. The City and/or the Agency shall develop implementation schedules and timetables for all significant Redevelopment Area activities as determined by the City and/or the Agency copies of which shall be delivered to the Redevelopment Area Coordinator beginning one year from the implementation of this Agreement. The City and/or the Agency shall also deliver additional interim reports to the County upon request.

B. The Redevelopment Area Coordinator shall receive from the City and/or the Agency advance notice of all public meetings related to development of projects pursuant to this Agreement and on a regular basis, information regarding the progress of all such development through the design and construction of such projects.

C. During construction, the County shall have the right to attend all such public meetings and inspect the projects being developed at all reasonable times subject to reasonable restrictions imposed by the contractor.

D. The City and/or the Agency shall consult regularly with the Redevelopment Area Coordinator in order to keep the County reasonably informed throughout the duration of the planning, design and construction of such redevelopment projects. The City, either directly or through the Agency, shall be required to have an outside independent audit on the annual basis to monitor and investigate compliance with the terms of this Agreement. The right of the auditor to investigate, monitor, inspect, copy, review, verify and check operations and records of the City and the Agency shall include, but not be limited to, all of its employees, consultants, agents or authorized contractors and subcontractors, as well as, all administrative and operational facilities used by the City, the Agency and the County in connection with all matters arising under this Agreement. Records include, but are not limited to, construction, financial, correspondence, instructions, memoranda, bids and contract documents, as well as all other records pertaining to the planning, development and construction of projects pursuant to this Agreement. Any rights that the County has under this provision shall not be the basis for any liability to accrue to the County from the City, the Agency or third parties for such monitoring or investigation or for the Area, all in accordance with applicable law.

X. City Assurances Regarding Affirmative Action

As part of this Agreement the City and the Agency, as the case may be, shall follow applicable federal, State and County laws and regulations concerning affirmative action and race/ethnic/gender conscious concerns all in accordance with applicable law.

XI. Amendments

This Agreement may be amended only by a written agreement signed by the City, the Agency and the County.

XII. Indemnification and other

A. The City and Agency shall indemnify and hold harmless the County and its officers, employees, agents and instrumentalities from any and all liability, losses or damages, including attorneys' fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the performance of this Agreement by the City and Agency or its employees, agents, servants, partners principals or subcontractors. The City and Agency shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may be issued thereon. **Provided, however, this indemnification shall only be to the extent and within the limitations of Section 768.28 Fla Stat., subject to the provisions of that Statute whereby the City and Agency shall not be held liable to pay a personal injury or property damage claim or judgment by any one person which exceeds the sum of \$100,000, or any claim or judgment or portions thereof, which, when totaled with all other claims or judgment pay by the City and Agency arising out of the same incident or occurrence, exceed the sum of \$200,000 from any and all personal injury or property damage claims, liabilities, losses or causes of action which may arise as a result of the negligence of the City and Agency.**

B. Third Party Beneficiaries. None of the parties intend to directly or substantially benefit any third party by this Agreement. Therefore, the parties agree that there are no third party beneficiaries to this Agreement and that no third party shall be entitled to assert a claim against either of them based upon this Agreement.

C. All parties have substantially contributed to the drafting and negotiation of this Agreement and this Agreement shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than any other. The parties hereto acknowledge that they have thoroughly read this Agreement, including all exhibits and attachments hereto, and have sought and received whatever competent advice and counsel was necessary for them to form a full and complete understanding of all rights and obligations herein.

D. Jurisdiction: This Agreement shall be interpreted and construed in accordance with and governed by the laws of the State of Florida. Venue for litigation concerning this Agreement shall be in Miami-Dade County, Florida.

E. Severance: Should any clause or provision of this Agreement be determined to be illegal, invalid or unenforceable under any present or future law by final judgment of a court of competent jurisdiction, the remainder of this Agreement will not be affected thereby. It is the intention of the parties that if any such provision is held to be illegal, invalid or unenforceable, there will be added in lieu thereof a legal, valid and enforceable provision that is as similar as possible in terms to the illegal, invalid or unenforceable provision, which is agreed to by all parties.

F. Waiver: No express or implied consent or waiver by a party to or of any breach or dealt by the other party in the performance by such other party of its obligations

under this Agreement will be deemed or construed to be a consent or waiver to or of any other breach or dealt in the performance by such other party of the same or any other obligations of such other party hereunder. Failure by a party to complain of any act or failure to act of the other party or to declare the other party in default, irrespective of how long such failure continues will not constitute a waiver by such party of its rights hereunder. The giving of consent by a party in any one instance will not limit or waive the necessity to obtain such party's consent in any future instance.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their names by their duly authorized officers and the corporate seals to be affixed hereto, all as of the day and year first above written.

WITNESS our hands and seals on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

CITY OF NORTH MIAMI BEACH, FLORIDA, a  
municipal corporation of the State of Florida

MIAMI-DADE COUNTY, FLORIDA,  
a political subdivision of the State of  
Florida

By: \_\_\_\_\_  
City Manager

By: \_\_\_\_\_ \\  
County Manager

ATTEST:

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_ \\  
Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
County Attorney

NORTH MIAMI BEACH COMMUNITY REDEVELOPMENT AGENCY,  
a public body corporate and politic

By: \_\_\_\_\_  
Chairman

ATTEST:

By: \_\_\_\_\_  
Clerk

EXHIBIT E

**Miami-Dade Legislative Item  
File Number: 050431**

Print this page

<b>File Number:</b> 050431	<b>File Type:</b> Resolution	<b>Status:</b> Adopted as amended
<b>Version:</b> 0	<b>Reference:</b> R-1345-0	<b>Control:</b> County Commission
<b>File Name:</b> CITY OF NMB: COMMUNITY REDEVELOPMENT AGENCY		<b>Introduced:</b> 2/17/2005
<b>Requester:</b> Office of Community and Economic Development	<b>Cost:</b>	<b>Final Action:</b> 11/30/2004
<b>Agenda Date:</b> 11/30/2004		<b>Agenda Item Number:</b> 4Y

**Notes:** THIS IS FINAL VERSION AS ADOPTED. ALSO SEE ORIGINAL LEGISTAR #042827

**Title:** RESOLUTION DECLARING CERTAIN GEOGRAPHIC AREA OF CITY OF NORTH MIAMI BEACH, FLORIDA DESCRIBED IN MORE DETAIL IN THIS RESOLUTION TO BE A SLUM OR BLIGHTED AREA; DECLARING THE REBUILDING, REHABILITATION, CONSERVATION AND REDEVELOPMENT OF THE AREA TO BE IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS AND WELFARE OF RESIDENTS OF CITY OF NORTH MIAMI BEACH AND OF MIAMI-DADE COUNTY, FLORIDA; FINDING NEED FOR CREATION OF COMMUNITY REDEVELOPMENT AGENCY; AND DELEGATING CERTAIN COMMUNITY REDEVELOPMENT POWERS TO THE CITY OF NORTH MIAMI BEACH [SEE ORIGINAL ITEM UNDER FILE NO. 042827]

**Indexes:** N ORTH MIAMI BEACH  
COMMUNITY REDEVELOPMENT AGENCY

**Sponsors:** NONE

**Sunset Provision:** No

**Effective Date:**

**Expiration Date:**

**Registered Lobbyist:** None Listed

**LEGISLATIVE HISTORY**

Acting Body	Date	Agenda Item Action	Sent To	Due Date	Returned Pass/Fail
County Attorney	2/17/2005	Assigned	Shannon D. Summerset		2/17/2005
Board of County Commissioners	11/30/20044Y	Adopted as amended			P

**REPORT:** Commissioner Moss recommended that the feasibility of developing an exit strategy be reviewed to terminate all Community Redevelopment Agencies (CRAs) once its purpose was accomplished. Commissioner Jordan stated, for the record, that she would like for the community affected by the CRA to fully understand the subject area had met the established qualifications to declare the area "slum and blighted." Assistant County Manager Crapp noted the last paragraph of page one of the County Manager's memorandum accompanying the foregoing proposed resolution explained the process declaring the subject area as a "slum and blighted" area. Commissioner Gimenez expressed his concerns for the issue of governing structures of CRAs. In response to Chairperson Carey-Shuler's inquiry, Assistant County Manager Crapp noted that the entire process to implement the CRA would have to be completed by June 30, 2005. Chairperson Carey-Shuler asked that the issue of developing a policy to implement the exit strategy be reviewed as part of Commissioner Moss's request. Commissioner Martinez asked that the issue of establishing a sunset provision for CRAs be reviewed. The Board adopted the foregoing resolution as amended to change on pages two and six the reference made to the County Advisory Board to the City Planning and Zoning Board as noted by Assistant County Manager Tony Crapp.

**LEGISLATIVE TEXT**

**TITLE**

RESOLUTION DECLARING CERTAIN GEOGRAPHIC AREA OF CITY OF NORTH MIAMI BEACH, FLORIDA DESCRIBED IN MORE DETAIL IN THIS RESOLUTION TO BE A SLUM OR BLIGHTED AREA; DECLARING THE REBUILDING, REHABILITATION, CONSERVATION AND REDEVELOPMENT OF THE AREA TO BE IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS AND WELFARE OF RESIDENTS OF CITY OF NORTH MIAMI BEACH AND OF MIAMI-DADE COUNTY, FLORIDA; FINDING NEED FOR CREATION OF COMMUNITY REDEVELOPMENT AGENCY; AND DELEGATING CERTAIN COMMUNITY REDEVELOPMENT POWERS TO THE CITY OF NORTH MIAMI BEACH

**BODY**

WHEREAS, the Florida Legislature enacted the Community Redevelopment Act of 1969 during its 1969 Legislative Session, which enactment is presently codified in the Florida Statutes as Part III of Chapter 163, Sections 163.330 through 163.450, as amended, ("Act"); and

WHEREAS, all powers arising pursuant to the Act are conferred upon counties with Home Rule Charters, which counties in turn are authorized to delegate certain such powers to municipalities within their boundaries; and

WHEREAS, such authorization for counties to delegate such powers to municipalities is contained in Section 163.410 of the Act, which provides that in home rule counties, the powers conferred by the Act shall be exercised exclusively by the governing body of such county, provided, however, the governing may, in its discretion, by resolution, delegate certain of those powers to a municipality; and

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WHEREAS, the City Council of the City of North Miami Beach (the "City") adopted a resolution which, among other things, declared an area within the municipal boundaries of the City to be a "slum or blighted area", and made a finding of necessity as to the rehabilitation, conservation or redevelopment, or a combination of each, with respect to such area; and

WHEREAS, the Board considered the "Findings of Necessity" Report attached as Exhibit A (the "Report"), concerning the existence of slum or blighted areas within the boundaries of the area designated by the City and identified in such Report; and

WHEREAS, the Board concurs with the City and the Report and finds that one or more slum or blighted areas, as defined in Section 163.340 of the Act exist within the area of the City identified in the Report; and

WHEREAS, the Board finds that rebuilding, rehabilitation, conservation, and/or redevelopment of said slum or blighted area is necessary in the interest of the public health, safety, morals, and welfare of the residents of the City and of Miami-Dade County; and

WHEREAS, the Board finds that said slum or blighted area is appropriate for redevelopment; and

WHEREAS, the Board finds that there is a need for a community redevelopment agency within the City to carry out the community redevelopment purposes of the Act; and

WHEREAS, the Board desires to delegate certain community redevelopment powers to the City pursuant to the Act,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA, THAT:

Section 1. The foregoing recitations are incorporated as a part of this resolution by reference.

Section 2. Based on findings of the City and the Report, a blighted or slum area exists in an area of the City described in Exhibit "B" to this Resolution and as specifically described in the Report, which is referred to as the "North Miami Beach Redevelopment Area."

Section 3. The rebuilding, rehabilitation, conservation and redevelopment of the North Miami Beach Redevelopment Area is necessary in the interest of the public health, safety, morals, and welfare of the residents of the City and of Miami-Dade County as a whole, said finding of necessity being made within the meaning of the Act.

Section 4. The North Miami Beach Redevelopment Area is found and declared to be a slum or blighted area as defined in Section 163.340 of the Act as applied to Miami-Dade County.

Section 5. There is a need for a community redevelopment agency ("CRA") to function in the City to carry out the community redevelopment purposes of the Act.

Section 6. The Board delegates the community redevelopment power to the City to create a CRA pursuant to the Act with the sole power initially to prepare and adopt a plan of redevelopment for the North Miami Beach Redevelopment Area, to submit it to the City's Planning and Zoning Board for review as required under the Act and upon the completion of such review, to submit it to this Board for approval after notice and public hearing.

Section 7. The Board shall consider the delegation of additional community redevelopment powers to the CRA in the form of an interlocal agreement by subsequent resolution of this Board.

## HEADER

TO:

Honorable Chairperson Barbara Carey-Schuler, Ed. D and Members, Board of County Commissioners

DATE:

November 30, 2004

FROM:

George M. Burgess  
County Manager

#R-1345-04

SUBJECT:

Resolution Declaring Certain Geographic Area of the City of North Miami Beach to be a Slum or Blighted Area, and Finding of Need for Creation of a Community Redevelopment Agency

## STAFF RECOMMENDATION

It is recommended that the Board of County Commissioners (the "Board"), approve the accompanying resolution, declaring a certain geographic area of the City of North Miami Beach, Florida described in more detail in Exhibit "B", to be a slum or blighted area, pursuant to Chapter 163, Part III, Florida Statutes. Such area is referred to as the "North Miami Beach Redevelopment Area" (the "Redevelopment Area").

It is also recommend that the Board delegate certain redevelopment powers to the City of North Miami Beach, so that the City may take the appropriate measures to create a Community Redevelopment Agency, and to prepare a redevelopment plan.

## MANAGER'S BACKGROUND

In 1969, the Florida Legislature enacted the Community Redevelopment Act of 1969, as it is presently contained in Part III, Chapter 163, Florida Statutes, as amended (the "Act"). The Act authorizes counties and municipalities in the State of Florida to create community redevelopment agencies and to prepare community redevelopment plans, with which community redevelopment projects may be undertaken to eliminate and prevent the development and spread of slum or blighted areas, through the use of creative financing mechanisms.

In order to implement the Act, the County must adopt a resolution finding that:

1. An area within the municipal boundaries of the City to be a "slum or blighted area"; and
2. That rehabilitation, conservation, or redevelopment, or a combination thereof, of the Redevelopment Area is necessary in the interest of the public health, safety, morals or welfare of the residents of the County.

A Finding of Necessity (FON) Report (Exhibit A) prepared by Strategic Development Initiatives, Inc., examined the conditions in the proposed Redevelopment Area and concluded that blight, as defined in the Act, exists. The Mayor and City Council of the City of North Miami Beach, Florida on September 14, 2004 adopted Resolution No. R2004-57 that declared the proposed redevelopment area to be a "slum and blighted" area. The Miami-Dade County Tax Increment Financing and Coordinating Committee (TIFCC) has reviewed the report and supports its conclusions.

Honorable Chairperson Barbara Carey-Schuler, Ed. D  
and Members, Board of County Commissioners  
Page 2

The City of North Miami Beach, cannot proceed with the redevelopment or the proposed Redevelopment Area unless the Board delegates certain redevelopment powers to the City. At its request and in order to assist the City in its redevelopment efforts, it is recommended that the City be delegated the power to:

1. Declare the need for and create a Community Redevelopment Agency, or to declare itself as the agency with the power to exercise such powers which may be assigned to the agency; and
2. Initiate, prepare and adopt a Redevelopment Plan and any amendments thereto, which plan and amendments shall be subject to the review and approval of the City's Planning and Zoning Board, and, subsequently, the Board.

All powers not specifically delegated to the City of North Miami Beach are reserved exclusively for the Board.

Approval by the Board of the North Miami Beach Redevelopment Area and the creation of a Community Redevelopment Agency with certain redevelopment powers does not necessarily lead to the establishment of the Tax Increment Financing District. A viable redevelopment plan is a prerequisite for such action.

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Assistant County Manager

MEMORANDUM  
Agenda Item No. 4(Y)

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